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इस भाग में धिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए संविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 20 मई, 2011

का. आ. 1421.—लोक परिसर (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, गृह मंत्रालय के राजपत्र भाग-2, खण्ड-3 के उप खण्ड (ii) में (i) का.आ. 4347 दिनांक 15 दिसम्बर 1984, (ii) का.आ. 2171 दिनांक 18 अगस्त, 1990, (iii) अधिसूचना सं.-ए. II-11/92-प्रसा. 3/केरिपुबल/गृह मंत्रा/एफ.पी-IV दिनांक 02 सितम्बर, 1992, (iv) का.आ. 1493 दिनांक 01 अगस्त, 1998, (v) का.आ. 754 दिनांक 08 मार्च, 2003, (vi) का.आ. 89 दिनांक 17 जनवरी, 2004, (vii) का.आ. 1825 दिनांक 04 जुलाई, 2009, (viii) का.आ. 1824 दिनांक 04 जुलाई, 2009, (ix) का.आ. 3119 दिनांक 21 नवम्बर, 2009, (x) का.आ. 1912 दिनांक 07 अगस्त, 2010, (xi) का.आ. 699 दिनांक 13 मार्च, 2010, (xii) का.आ. 737 दिनांक 20 मार्च, 2010, (xiii) का.आ. 896 दिनांक 10 अप्रैल, 2010 द्वारा प्रकाशित अधिसूचना के अतिक्रमण में, सिवाए उनके जो किए गए हैं या ऐसे अतिक्रमण से पूर्व करने से पहले विलुप्त किए जाने थे, केन्द्रीय सरकार एतद्वारा नीचे दी गई सारणी के कालम (2) में वर्णित अधिकारियों को सरकार के राजपत्रित अधिकारी के पद पर होने के नाते कथित अधिनियम के उद्देश्यों हेतु सम्पदा अधिकारी नियुक्त करती है जो कथित सारणी के कालम (3) में विनिर्दिष्ट लोक परिसरों से संबंधित क्षेत्राधिकार की स्थानीय सीमाओं के भीतर कथित अधिनियम के अंतर्गत अथवा उसके द्वारा सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग करेगा तथा सौंपे गए कर्तव्यों का निर्वहन करेगा :—

सारणी

| क्र. सं. | अधिकारी | सार्वजनिक परिसरों और क्षेत्राधिकार की स्थानीय सीमाएं |
|----------|--------------------------------|--|
| (1) | (2) | (3) |
| 1. | पुलिस उप महानिरीक्षक (प्रशासन) | परिसर केरिपुबल, महानिदेशालय, केन्द्रीय कार्यालय परिसर, ब्लॉक सं.-1, लोधी रोड, नई दिल्ली या सरकार द्वारा उपलब्ध कराए गए अन्य परिसर। |

| (1) | (2) | (3) |
|-----|---|---|
| 2. | पुलिस उप महानिरीक्षक | परिसर केन्द्रीय रिजर्व पुलिस बल के सभी जोन मुख्यालय । |
| 3. | प्रशासनिक सेक्टर मुख्यालयों में पदस्थ पुलिस उप महानिरीक्षक (संभरण एवं लेखा) तथा परिचालन सेक्टर में पदस्थ पुलिस उप महानिदेशक । | परिसर केन्द्रीय रिजर्व पुलिस बल के सभी सेक्टर मुख्यालय (प्रशासन/परिचालन)। |
| 4. | कार्यालय अध्यक्ष के कार्यभार कर रहे पुलिस उप महानिरीक्षक । | परिसर केन्द्रीय रिजर्व पुलिस बल के सभी रेंज मुख्यालय (प्रशासन/परिचालन) या सभी ग्रुप केन्द्र या सभी प्रशिक्षण संस्थान एवं सभी केन्द्रीय हथियार भंडार । |
| 5. | पुलिस उप महानिरीक्षक (चिकित्सा)/मुख्य चिकित्सा अधिकारी, जो कार्यालय अध्यक्ष के कार्यभार देख रहे हैं । | परिसर केन्द्रीय रिजर्व पुलिस बल, सभी 100 एवं 50 बिस्तरीय संयुक्त अस्पताल । |
| 6. | सभी असंलग्न बटालियन के कमांडेंट । | परिसर केरिपु बल की सभी असंलग्न बटालियनें (दुकाब बटा, कोबरा बटा, सिगलन बटा, विशेष ड्यूटी ग्रुप एवं महिला बटालियन सहित) । |
| 7. | केरिपुबल के कैपिंग स्थलों में तैनात सभी संलग्न बटालियनों के कमांडेंट । | परिसर केरिपुबल के कैपिंग स्थलों में तैनात केरिपुबल की सभी संलग्न बटालियनें । |

[फा.सं. ए-II-12/2010-डीए-4-प्रशासन-1/गृह मंत्रालय-पीएफ-III]

एच. के. सुआनथांग, अवर सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 20th May, 2011

S. O. 1421.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971 (40 of 1971), and in supersession of notifications of the Government of India, in the Ministry of Home Affairs, published in the Gazette of India, in Part-II, Section-3, Sub-section (ii), vide (i) S.O. 4347 dated the 15th December, 1984, (ii) S.O. 2171 dated the 18th August, 1990, (iii) notification No. A. II-11/92-Adm-3/CRPF/MHA/FP-IV dated the 2nd September, 1992, (iv) S.O. 1493 dated the 1st August, 1998, (v) S.O. 754 dated the 8th March, 2003, (vi) S.O. 89 dated the 17th January, 2004, (vii) S.O. 1825 dated the 04th July, 2009, (viii) S.O. 1824 dated the 04th July, 2009, (ix) S.O. 3119 dated the 21st November, 2009, (x) S.O. 1912 dated the 07th August, 2010, (xi) S.O. 699 dated the 13th March, 2010, (xii) S.O. 737 dated the 20th March, 2010, (xiii) S.O. 896 dated the 10th April, 2010, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the officers mentioned in column (2) of the Table below, being Gazetted officers of the Government to be Estate officers for the purpose of the said Act, who shall exercise the powers conferred, and perform the duties imposed on such Estate Officer by or under the said Act within such local limits or in respect of such public premises as specified in column (3) of the said table namely :—

TABLE

| Sl. No. | Officers | Local limits of public premises. |
|---------|---|--|
| (1) | (2) | (3) |
| 1. | Deputy Inspector General (Administration) | Premises of the Central Reserve Police Force, Directorate General, CRPF, CGO Complex, Lodhi Road, New Delhi or any other premises provided by Govt . |
| 2. | Deputy Inspector General of Police. | Premises of the Central Reserve Police Force, all Zone Headquarters |

| (1) | (2) | (3) |
|-----|---|---|
| 3. | Deputy Inspector General (Provision and Accounts) posted in (Administrative/ Sector Headquarter) and Deputy Inspector General of Police Posted in Operational Sector Headquarters. | Premises of the Central Reserve Police Force, all Sector Headquarters. (Administration/ operational). |
| 4. | Deputy Inspector General of Police holding the charges of Head of Office. | Premises of the Central Reserve Police Force, all Range Headquarters (Administration/Operational) or all Group Centres or all Training Institutions and all Central Weapon Stores. |
| 5. | Deputy Inspector General (Medical)/Chief Medical Officer holding the charges of Head of Office. | Premises of the Central Reserve Police Force, all Composite 100 and 50 bedded Hospitals. |
| 6. | All Commandants of Un-attached Battalions. | Premises of the Central Reserve Police Force Un-attached Battalions (including Rapid Action Force, Commando Battalions for Resolute Action, Signal, Special Duty Group and Mahila Battalions. |
| 7. | All Commandants of attached Battalions located at Central Reserve Police Force Camping Sites. | Premises of the Central Reserve Police Force, all attached Battalions at Central Reserve Police Force camping sites. |

[F. No. A. II-12/2010-DA-4-Adm.I/MHA-PF.III]

H. K. SUANTHANG, Under Secy.

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 23 मई, 2011

का.आ. 1422.—केन्द्रीय सरकार एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए जबलपुर, मध्य प्रदेश राज्य में दिल्ली विशेष पुलिस स्थापना (के.अ.ब्यूरो) द्वारा संस्थापित मामलों तथा अपीलीय/पुनरीक्षण या विधि द्वारा स्थापित न्यायालयों में पुनरीक्षण या अपीलीय मामलों से उद्भूत अन्य मामलों का संचालन करने के लिए श्री शैलेंद्र सामिया, एडवोकेट को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/8/2011-एवीडी-II]

अशोक के. के. मीणा, निदेशक (बी-II)

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 23rd May, 2011

S. O.1422.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal

Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Shailendra Samaiya, Advocate as Special Public Prosecutor for conducting the prosecution of the cases instituted by the Delhi Special Police Establishment (C.B.I.) in the State of Madhya Pradesh at Jabalpur as entrusted to him by the Central Bureau of Investigation in the trial courts and appeals/ revisions or other matters arising out of these cases in revisional or appellate courts established by law.

[F. No. 225/8/2011-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

नई दिल्ली, 23 मई, 2011

का. आ.1423.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मिजोरम राज्य में दिल्ली विशेष पुलिस स्थापना (सीबीआई) द्वारा संस्थापित किए गए मामले जिन्हें केन्द्रीय अन्वेषण ब्यूरो द्वारा उन्हें सौंपा गया है, परीक्षण न्यायालयों में तथा अपीलीय/पुनरीक्षण या मामलों के पुनरीक्षण या विधि द्वारा स्थापित अपीलीय न्यायालयों के मामले में उद्भूत अन्य प्रक्रियाओं का संचालन

करने के लिए निम्नोक्त एडवोकेटों को विशेष लोक अभियोजक के रूप में नियुक्त करती है :—

1. श्री आर. थांगकांगलोवा 2. श्रीमती दिनारी टी. अजयू
- [फा.सं. 225/44/2009-एवीडी-II]

अशोक के. के. मीणा, निदेशक (वी-II)

New Delhi, the 23rd May, 2011

S. O.1423.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints following Advocates as Special Public Prosecutor for conducting the prosecution of the cases instituted by the Delhi Special Police Establishment (C. B. I.) in the State of Mizoram as entrusted to them by the Central Bureau of Investigation in the trial courts and appeals/revisions or other matters arising out of these cases in revisional or appellate courts established by law.

1. Shri R. Thangkanglova 2. Mrs. Dinari T. Azyu
- [F. No. 225/44/2009-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

नई दिल्ली, 24 मई, 2011

का. आ.1424.—केंद्रीय सरकार एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए जोधपुर, राजस्थान राज्य में दिल्ली विशेष पुलिस स्थापना (केंद्रीय अन्वेषण ब्यूरो) द्वारा स्थापित मामलों तथा केंद्रीय अन्वेषण ब्यूरो द्वारा सौंपे गए परीक्षण न्यायालयों और अपीलों/पुनरीक्षणों अथवा विधि द्वारा स्थापित अपीलीय न्यायालयों या पुनरीक्षणों संबंधी मामलों से उद्भूत अन्य मामलों का संचालन करने के लिए निम्नोक्त वकीलों को विशेष लोक अभियोजक के रूप में नियुक्त करती है :—

1. श्री प्रमोद कुमार वर्मा 2. श्री एल. डी. खत्री
 3. श्री अशोक जोशी 4. श्री विनोद कुमार शर्मा
- [फा. सं. 225/10/2011-एवीडी-II]

अशोक के. के. मीणा, निदेशक (वी-II)

New Delhi, the 24th May, 2011

S. O.1424.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints following Advocates as Special Public Prosecutor for conducting the prosecution of the cases instituted by the Delhi Special Police Establishment (C. B. I.) in the State of Rajasthan at Jodhpur as entrusted to them by the Central Bureau of Investigation

in the trial courts and appeals/revisions or other matters arising out of these cases in revisional or appellate courts established by law.

1. Shri Pramod Kumar Verma
2. Shri L. D. Khatri
3. Shri Ashok Joshi
4. Shri Vinod Kumar Sharma.

[F. No. 225/10/2011-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

नई दिल्ली, 24 मई, 2011

का. आ.1425.—केंद्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तमिलनाडु राज्य के मदुरई में दिल्ली विशेष पुलिस स्थापना (केंद्रीय अन्वेषण ब्यूरो) द्वारा स्थापित मामलों का परीक्षण न्यायालयों तथा अपीलों/पुनरीक्षणों या विधि द्वारा स्थापित पुनरीक्षण या अपीलीय न्यायालयों में इन मामलों से उद्भूत अन्य मामलों तथा केंद्रीय अन्वेषण ब्यूरो द्वारा उन्हें सौंपे गए मामलों का संचालन करने के लिए निम्नलिखित अधिवक्ताओं को विशेष लोक अभियोजक के रूप में नियुक्त करती है :— सर्वश्री

1. एम.के.पी. कानन
2. वी. रामास्वामी
3. आर. पोन्नुचामी

[फा. सं. 225/30/2010-एवीडी-II]

अशोक के. के. मीणा, निदेशक (वी-II)

New Delhi, the 24th May, 2011

S.O. 1425.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints following Advocates as Special Public Prosecutor for conducting the prosecution of the cases instituted by the Delhi Special Police Establishment (C. B. I.) in the State of Tamilnadu at Madurai as entrusted to them by the Central Bureau of Investigation in the trial courts and appeals/revisions or other matters arising out of these cases in revisional or appellate courts established by law.

S/Shri

1. M.K.P. Kannan
2. V. Ramasamy
3. R. Ponnuchamy

[F. No. 225/30/2010-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

नई दिल्ली, 27 मई, 2011

का. आ.1426.—केंद्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य के जिला रामगढ़, अलीबाग के अपर सत्र न्यायाधीश के न्यायालय में आरसी-1(एस)/2009-मुम्बई से उद्भूत एस.सी. सं. 27/2010 में अपीलों/पुनरीक्षणों अथवा अपीलीय/पुनरीक्षण न्यायालयों में इस मामले से उद्भूत अन्य मामलों का संचालन करने के लिए श्री प्रदीप डी. घरात को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/11/2011-एवीडी-II]

अशोक के. के. मीणा, निदेशक (वी-II)

New Delhi, the 27th May, 2011

S. O.1426.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Pradip D. Gharat, Advocate as Special Public Prosecutor in S.C. No. 27/2010 arising out of RC 1/S/2009-Mum for conducting trial in the Court of Additional Sessions Judge, Alibag, District Raigad in the State of Maharashtra and appeals/revisions or other matters arising out of this cases in Appellate/Revisional Courts.

[F. No. 225/11/2011-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

नई दिल्ली, 30 मई, 2011

का. आ.1427.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हरियाणा राज्य सरकार, गृह विभाग की दिनांक 1 सितंबर, 2010 की अधिसूचना सं. 20/7/2010-3 एच.जी.1 द्वारा प्राप्त सहमति से समालखा पुलिस स्टेशन, जिला-सोनीपत में भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 302 के अंतर्गत पंजीकृत (1) दिनांक 11-11-2008 की एफ.आई.आर. सं. 381, गन्नौर पुलिस स्टेशन, जिला-सोनीपत में भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 376, 511, 292, 506 तथा 34 के अंतर्गत पंजीकृत (2) दिनांक 18-9-2008 की एफ.आई.आर. सं. 248, तथा चांदनी बाग पुलिस स्टेशन, जिला-पानीपत में भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 323, 506 तथा 34 के अंतर्गत पंजीकृत (3) दिनांक 16-6-2008 की एफ.आई.आर. सं. 249, का तथा उपर्युक्त उल्लिखित अपराध के संबंध में या उससे सम्बद्ध प्रयास, दुष्प्रेरणा तथा षडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराध या अपराधों का अन्वेषण करने के लिए

दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार सम्पूर्ण हरियाणा राज्य के संबंध में करती है।

[फा. सं. 228/63/2010-एवीडी-II]

अशोक के. के. मीणा, निदेशक (वी-II)

New Delhi, the 30th May, 2011

S.O.1427.—In exercise of the powers conferred by sub-section (1) of section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Haryana, Home Department, vide Notification No. 20-7-2010-3HG-I dated 1st September, 2010, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Haryana for investigation of FIR No. 381 dated 11-11-2008 under section 302 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Samalkha Police Station, District Sonapat, (2) FIR No: 248 dated 18-09-2008 under sections 376, 511, 292, 506 and 34 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Ganaur Police Station, District Sonapat and (3) FIR No. 249 dated 16-06-2008 under section 323, 506 and 34 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Chandni Bagh Police Station District Panipat and attempt, abetment and conspiracy in relation to or in connection with the above mentioned offence and any other offence or offences committed in course of the same transaction or arising out of the same facts.

[F. No. 228/63/2010-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 20 मई, 2011

का. आ.1428.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उप खण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा 3 (ज) और 3(क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार, एतद्वारा, श्री मुश्ताक अतिउल्लाह अंतुले (जन्म तिथि : 24-06-1953), को उनकी नियुक्ति की अधिसूचना की तिथि से तीन वर्षों की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, पंजाब नेशनल बैंक के निदेशक मंडल में अंश-कालिक गैर-सरकारी निदेशक के रूप में पुनर्नामित करती है।

[फा. सं. 9/14/2008-बीओ-I]

समीर कुमार सिन्हा, निदेशक

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 20th May, 2011

S. O.1428.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of The Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 of The Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby re-nominates Shri Mushtaq Ataullah Antulay (DoB : 24-06-1953) as part-time non-official Director on the Board of Directors of Punjab National Bank, for a period of three years with effect from the date of notification of his appointment or until further orders, whichever is earlier.

[F.No. 9/14/2008-BO-I]

SAMIR K. SINHA, Director

नई दिल्ली, 20 मई, 2011

का. आ.1429.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबन्ध) स्कीम, 1970/1980 के खण्ड 9(2) के उप खण्ड (ख) के साथ पठित, बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा 3 (छ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा, श्री प्रकाश चन्द्र नलवाया (जन्म तिथि : 28-03-1956), को सनदी लेखाकार श्रेणी के अंतर्गत उनकी नियुक्ति की अधिसूचना की तिथि से तीन वर्षों की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, विजया बैंक के बोर्ड में अंशकालिक गैर-सरकारी निदेशक के रूप में नामित करती है।

[फा. सं. 6/55/2010-बीओ-1]

समीर कुमार सिन्हा, निदेशक

New Delhi the 20th May, 2011

S. O.1429.—In exercise of the powers conferred by sub-section 3(g) of Section 9 of the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980 read with sub-clause (b) of clause 9(2) of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with Reserve Bank of India, hereby nominates Shri Prakash Chandra Nalwaya (DoB : 28-03-1956), as part-time non-official director under Chartered Accountant category on the Board of Vijaya Bank, for a period of three years with effect from the date of notification of his appointment or until further orders, whichever is earlier.

[F.No. 6/55/2010-BO.-I]

SAMIR K. SINHA, Director

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 23 मई, 2011

का. आ.1430.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्रीमती बिमला चौहान, सहायक को 9 मई, 2011 से भारत के प्रधान कौंसलावास, बर्मिंगहम सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. Division)

New Delhi, the 23rd May, 2011

S.O.1430.—In pursuance of the clause (a) of the section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorize. Smt. Bimla Chauhan, Assistant in the Consulate General of India, Birmingham to perform the duties of Assistant Consular Officer with effect from 9th May, 2011.

[No. T. 4330/01/2006]

R. K. PERINDIA, Under Secy. (Consular)

सूचना एवं प्रसारण मंत्रालय

नई दिल्ली, 25 मई, 2011

का.आ.1431.—चलचित्र (प्रमाणन) नियम, 1983 के नियम 3 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा केन्द्रीय फिल्म प्रमाणन बोर्ड के सदस्यों की नियुक्ति से संबंधित पूर्व की अधिसूचनाओं का अधिक्रमण करते हुए केंद्र सरकार निम्नलिखित व्यक्तियों को तत्काल प्रभाव से तीन वर्षों की अवधि के लिए और अगले आदेशों तक उक्त बोर्ड का सदस्य नियुक्त करती है :

1. सुश्री अमल अलाना
2. सुश्री अनीश जंग
3. श्री दिपेश मेहता
4. श्री पंकज शर्मा
5. श्री एम.के. रैना

6. श्री राजीव मसंद
7. श्री निखिल अल्वा
8. सुश्री शुभा गुप्ता
9. श्री शाजी करुन
10. सुश्री मामंग दाई
11. श्री अंजुम राजाबली
12. श्रीमती अरुंधति नाग
13. सुश्री इरा भास्कर
14. श्री पंकज वोहरा
15. श्री हरनाथ चक्रवर्ती

[फा. सं. 809/2/2010-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 25th May, 2011

S.O. 1431.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Cinematograph Act, 1952 (37 of 1952) read with rule 3 of the Cinematograph (Certification) Rules, 1983 and in supersession of the earlier Notifications relating to appointment of members of the Central Board of Film Certification, the Central Government is pleased to appoint the following person as members of the said Board with immediate effect for a period of three years and until further orders :

1. Ms. Amal Allana
2. Ms. Anees Jung
3. Shri Dipesh Mehta
4. Shri Pankaj Sharma
5. Shri M. K. Raina
6. Shri Rajeev Masand
7. Shri Nikhil Alva
8. Ms. Shubhra Gupta
9. Shri Shaji Karun
10. Ms. Mamang Dai
11. Shri Anjum Rajabali
12. Smt. Arundhati Nag
13. Ms. Ira Bhasker
14. Shri Pankaj Vohra
15. Shri Harnath Chakraborty

[F.No. 809/2/2010-F(C)]

AMITABH KUMAR, Director (Films)

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

नई दिल्ली, 4 अप्रैल, 2011

का.आ.1432.—दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, भारतीय दंत चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है, नामतः :—

2. छत्रपति साहू जी महाराज विश्वविद्यालय, कानपुर के संबंध में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में, क्रम संख्या 93 के बाद मौजूद कॉलम 2 तथा 3 की प्रविष्टियों में इसके पश्चात् निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :—

“94 छत्रपति साहू जी महाराज विश्वविद्यालय, कानपुर

1. महाराणा प्रताप दंत चिकित्सा
महाविद्यालय और अस्पताल, कानपुर

(i) दंत शल्य चिकित्सा स्नातक बी.डी.एस. छत्रपति साहू
(यदि दिनांक 14 मई, 2010 को जी महाराज विश्व-
अथवा उसके पश्चात् प्रदान की विद्यालय, कानपुर,
गई है) (उत्तर प्रदेश) ”

[सं. बी.-12017/2/2004-डीई]

अनिता त्रिपाठी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

New Delhi, the 4th April, 2011

S.O. 1432.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 after Serial No. 93, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Chhatrapati Shahu Ji Maharaj University, Kanpur, the following entries shall be inserted thereunder :—

“94 Chhatrapati Shahu Ji Maharaj University,
Kanpur

1. Maharana Pratap
Dental College & Hospital
Kanpur.

| | |
|--|--|
| (i) Bachelor of Dental Surgery (if granted on or after 14th May, 2010) | BDS, Chhatrapati Shahu Ji Maharaj University, Kanpur (Uttar Pradesh)" |
|--|--|

[No. V.12017/2/2004-DE]

ANITA TRIPATHI, Under Secy.

(स्वास्थ्य एवं परिवार कल्याण विभाग)

नई दिल्ली, 16 मई, 2011

का.आ.1433.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद् से परामर्श करके, संबद्ध विश्वविद्यालयों के नाम में परिवर्तन के कारण, उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, नामतः :—

2. उक्त प्रथम अनुसूची में 'मान्यताप्राप्त चिकित्सा अर्हता' शीर्षक [इसके बाद कालम (2) के रूप में निर्दिष्ट] के अन्तर्गत "द तमिलनाडु डा. एमजीआर चिकित्सा विश्वविद्यालय" के प्रति पंजीकरण के लिए संक्षिप्त रूप [इसके बाद कालम (3) के रूप में निर्दिष्ट] शीर्षक के अंतर्गत अंतिम प्रविष्टि एवं उससे संबंधित प्रविष्टि के बाद निम्नलिखित को अंतर्विष्ट किया जाएगा :—

| (2) | (3) |
|--------------------------------------|---|
| "बैचलर ऑफ मेडिसिन और बैचलर ऑफ सर्जरी | एमबीबीएस (श्री मुकम्बिका आयुर्विज्ञान संस्थान, कन्याकुमारी, तमिलनाडु में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में दि तमिलनाडु डा. एमजीआर चिकित्सा विश्वविद्यालय, तमिलनाडु द्वारा फरवरी, 2011 में या इसके बाद प्रदान की गई चिकित्सा अर्हता मान्यताप्राप्त मानी जाएगी)।" |

[सं. यू. 12012/191/2005-एमई (पी.II)]

अनिता त्रिपाठी, अवर सचिव

(Department of Health and Family Welfare)

• New Delhi, the 16th May, 2011

S.O.1433.—In exercise of the powers conferred by sub-section (2) of Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby, makes the following further amendments in the First Schedule to the said Act, namely :—

2. In the said First Schedule against "The Tamil Nadu Dr. MGR Medical University, Tamil Nadu" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely :—

| (2) | (3) |
|---|---|
| "Bachelor of Medicine and Bachelor of Surgery | M.B.B.S. (This shall be a recognized medical qualification when granted by the Tamil Nadu Dr. MGR Medical University, Tamil Nadu in respect of students trained at Sree Mookambika Institute of Medical Sciences, Kanyakumari, Tamil Nadu on or after February, 2011)" |

[No. U. 12012/191/2005-ME (P-II)]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 19 मई, 2011

का.आ. 1434.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद् से परामर्श करके, संबद्ध विश्वविद्यालयों के नाम में परिवर्तन के कारण, उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, नामतः :—

उक्त प्रथम अनुसूची में 'मान्यता प्राप्त चिकित्सा अर्हता' शीर्षक [इसके बाद कालम (2) के रूप में निर्दिष्ट] के अन्तर्गत "बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट" के प्रति पंजीकरण के लिए संक्षिप्त रूप [इसके बाद कालम (3) के रूप में निर्दिष्ट] शीर्षक के अंतर्गत अंतिम प्रविष्टि एवं उससे संबंधित प्रविष्टि के बाद निम्नलिखित को अंतर्विष्ट किया जाएगा, नामतः :—

| (2) | (3) |
|--------------------------------------|--|
| "बैचलर ऑफ मेडिसिन और बैचलर ऑफ सर्जरी | एमबीबीएस (आदेश आयुर्विज्ञान एवं अनुसंधान संस्थान, भटिन्डा, पंजाब में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट द्वारा दिसम्बर, 2010 में या इसके बाद प्रदान की गई चिकित्सा अर्हता मान्यताप्राप्त मानी जाएगी)।" |

[सं. यू. 12012/216/2005-एमई (पी.II)]

अनिता त्रिपाठी, अवर सचिव

New Delhi, the 19th May, 2011

S.O. 1434.—In exercise of the powers conferred by sub-section (2) of Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby, makes the following further amendments in the First Schedule to the said Act, namely :—

2. In the said First Schedule against “Baba Farid University of Health Science, Faridkot” under the heading ‘Recognized Medical Qualification’ [in column (2)] and under the heading ‘Abbreviation for Registration’ [in column (3)], the following shall be inserted, namely :—

| (2) | (3) |
|---|---|
| “Bachelor of Medicine and Bachelor of Surgery | M.B.B.S. (This shall be a recognized medical qualification when granted by Baba Farid University of Health Sciences, Faridkot, Punjab in respect of students trained at Adesh Institute of Medical Sciences, and Research, Bhatinda, Punjab on or after December, 2011)” |

[No. U. 12012/216/2005-ME (P-II)]

ANITA TRIPATHI, Under Secy.

इस्पात मंत्रालय

नई दिल्ली, 20 मई, 2011

का.आ. 1435.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार, इस्पात मंत्रालय की अधिसूचना सं. का.आ. 1554, दिनांक 20 मई, 2003 का अधिक्रमण करते हुए, इस अधिक्रमण से पूर्व किए गए कार्यों और नहीं किए गए कार्यों को छोड़कर, केंद्र सरकार नीचे दी गई सारणी के स्तम्भ (1) में वर्णित अधिकारी को, जो भारत सरकार के राजपत्रित अधिकारी के पद के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो अब से उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों के बारे में अपने अधिकारों की स्थानीय सीमाओं के अंतर्गत उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा, नामतः

सारणी

| अधिकारी का नाम तथा पता | सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं |
|---|--|
| (1) | (2) |
| श्री एस. पाण्डेय, उप महाप्रबंधक, टाऊन एडमिनिस्ट्रेशन एंड कंस्ट्रक्शन डिपार्टमेंट, मेकॉन लिमिटेड रांची, झारखंड-834 002 | रांची, झारखंड में मेकॉन लिमिटेड के अथवा उसके प्रशासनिक नियंत्रणाधीन सभी स्थान। |

[मि. सं. 3(8)/2003-एचएसएम/आईडीडब्ल्यू]

एम. के. रॉय, निदेशक

MINISTRY OF STEEL

New Delhi, the 20th May, 2011

S.O. 1435.—In exercise of the powers conferred by Section 3 of the Public Premises (Ejection of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the Notification of the Government of India, Ministry of Steel number S.O. 1554 dated the 20th May, 2003, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of a Gazetted Officer of Government of India, to be Estate Officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on Estate Officer by or under the said Act, within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

| Address and Designation of the Officer | Categories of the Public Premises and local limits of jurisdiction |
|---|--|
| (1) | (2) |
| Shri S. Pandey, Deputy General Manager, (Town Administration and Construction Department), Mecon Ltd., Ranchi, Jharkhand -834002 | All Premises belonging to and under the administrative control of MECON Ltd. at Ranchi, Jharkhand. |

[F. No. 3(8)/2003-HSM/IDW]

M. K. ROY, Director

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

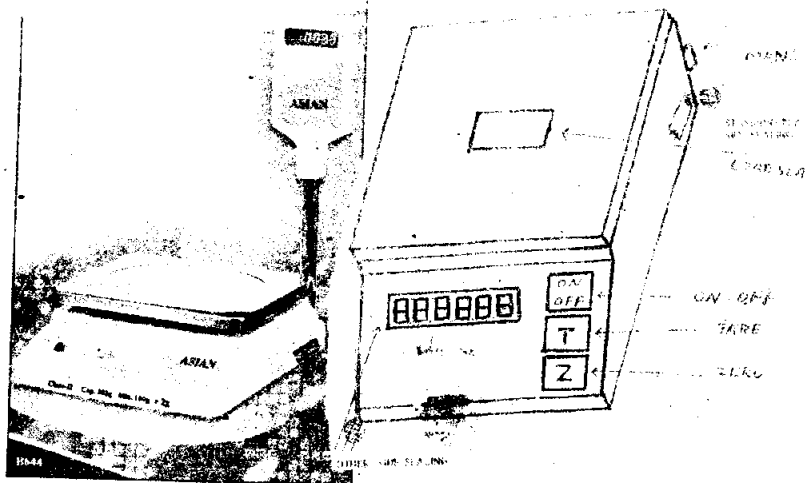
नई दिल्ली, 28 अप्रैल, 2011

का.आ.1436.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एडवांस वेइंग टेक्नोलॉजी, एस-10/274, एफ-9-ए, हुकुल गंज, वाराणसी-211002 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एडब्ल्यूटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "एशियन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/149 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 मॉडल



आकृति-2 उपकरण के मॉडल का सीलिंग प्रावधान

स्केल की बाडी के होल्स में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में कलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, और $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एस-21(110)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 28th April, 2011

S.O.1436.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of Series "AWT" and with brand name "ASIAN" (hereinafter referred to as the said model), manufactured by M/s. Advance Weighing Technology, S-10/274, F-9-A, Hukul Ganj, Varanasi-221002 (UP) which is assigned the approval mark IND/09/10/149;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure 1—Model

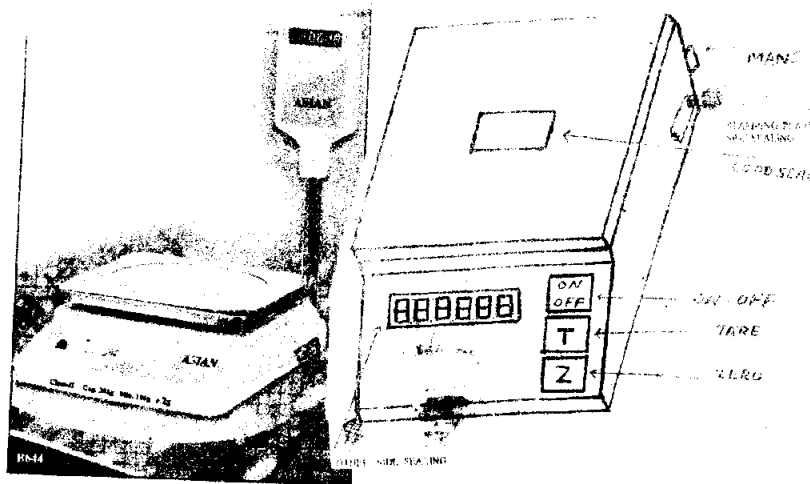


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50mg and with number of verification scale interval(n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(110)/2010]

B. N. DIXIT, Director of Legal Metrology

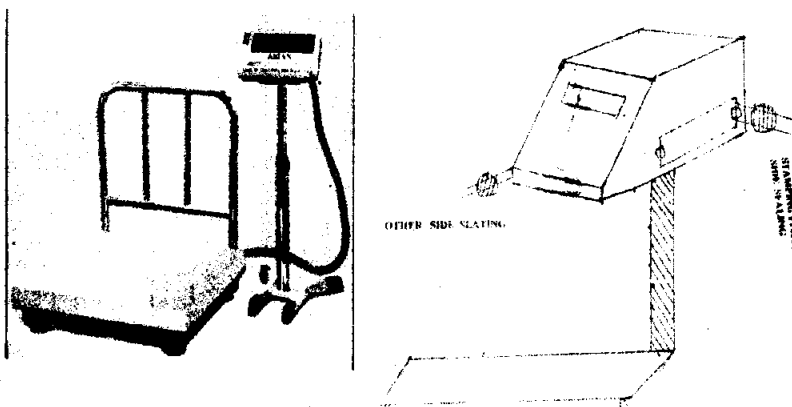
नई दिल्ली, 28 अप्रैल, 2011

का.आ.1437.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एडवॉस वेइंग टेक्नोलॉजी, एस-10/274, एफ-9-ए, हुकुल गंज, वाराणसी-221002 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एडवॉयूपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "एशियन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/150 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेत्तुलन युक्त है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेत्तुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 मॉडल



आकृति-2 उपकरण के मॉडल का सीलिंग प्रावधान

स्केल की बॉडी के होल्स में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है। उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, और $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(110)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1437.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of Series "AWP" and with brand name "ASIAN" (hereinafter referred to as the said model), manufactured by M/s. Advance Weighing Technology, S-10/274, F-9-A, Hukul Ganj, Varanasi-221002 (UP) which is assigned the approval mark IND/09/10/150;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

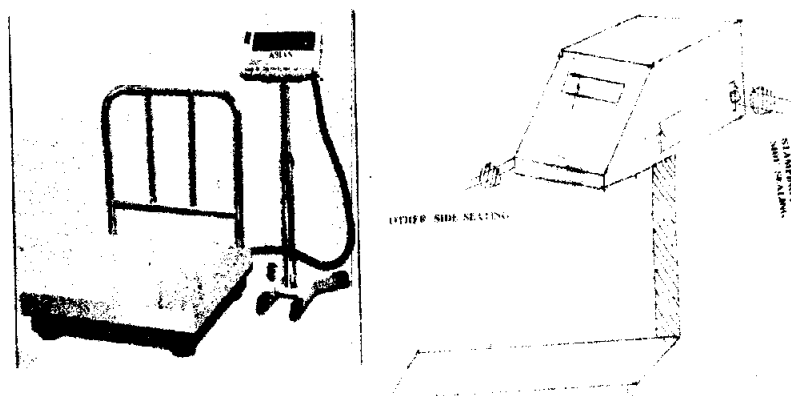


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above. The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg up to 5000kg. with verification scale interval (n) in the range of 500 up to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(110)/2010]

B. N. DIXIT, Director of Legal Metrology

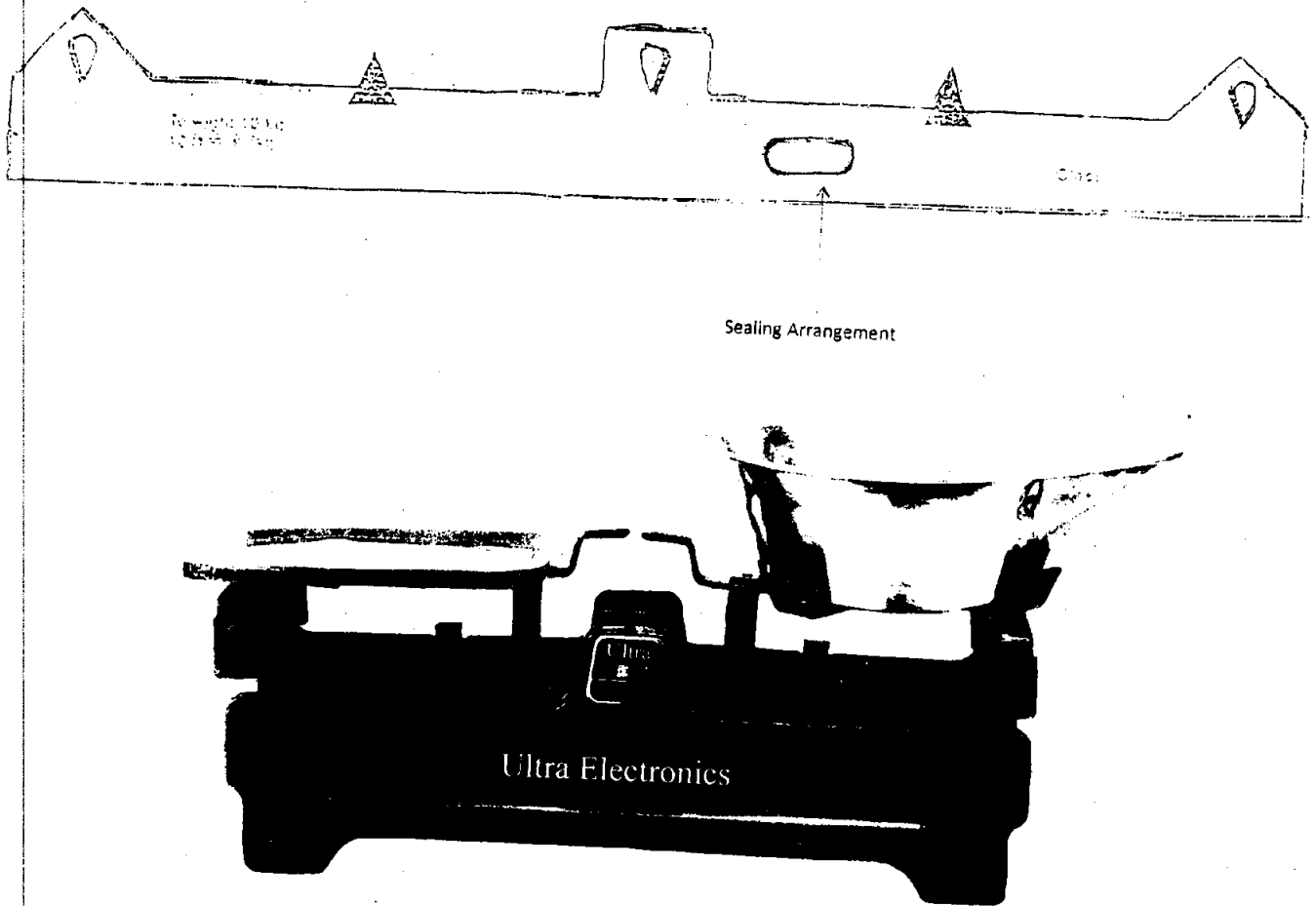
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1438.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए, मैसर्स अल्ट्रा इलेक्ट्रॉनिक्स, शिवाजी नगर, पटेल बॉडी के पास, सावरकुण्डला-364515 गुजरात द्वारा विनिर्मित मैकेनिकल काउंटर मशीन के मॉडल का, जिसके ब्रांड का नाम "अल्ट्रा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/347 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल प्रिंसिपल आफ मूमेंट्स आधारित मैकेनिकल काउंटर मशीन है जिसकी अधिकतम क्षमता 5 कि.ग्रा. है। इंडीकेशन एनालॉग प्रकार का है।

आकृति-1 मॉडल



आकृति-2

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 कि.ग्रा., 2 कि.ग्रा., 10 कि.ग्रा., 20 कि.ग्रा., 25 कि.ग्रा., 30 कि.ग्रा., और 50 कि.ग्रा., तक की क्षमता में हैं।

[फा. सं. डब्ल्यू एम-21(225)/2010]

बी. एन. दीक्षित, निदेशक, विधिक-माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1438.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Mechanical Counter Machine with analogue indication with brand name "ULTRA" (hereinafter referred to as the said model), manufactured by M/s. Ultra Electronics, Shivaji Nagar, Near Patel Wadi, Savarkundla-364515, Gujarat and which is assigned the approval mark IND/09/10/347;

The said model is a Principle of Moments based Mechanical Counter Machine with a maximum capacity of 5kg. The indication is of analogue type.

Figure 1—Model

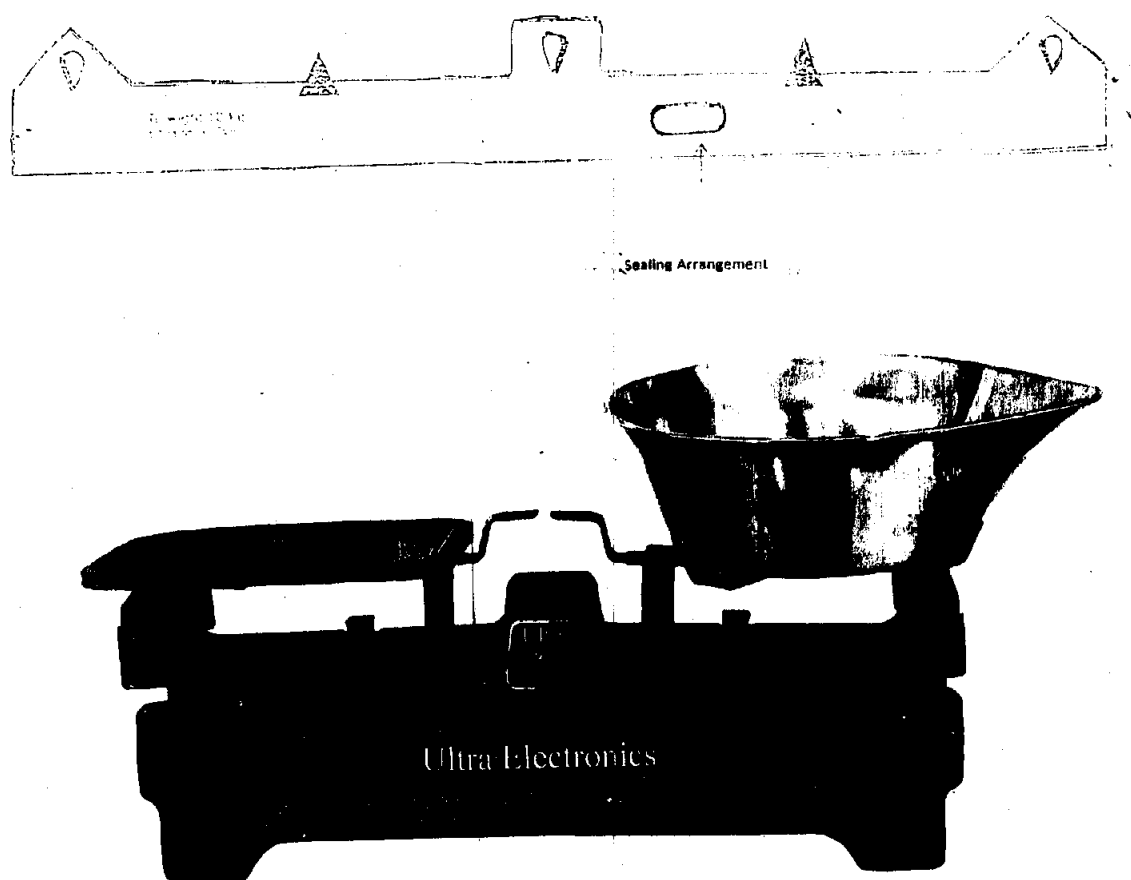


Figure-2 Schematic diagram of the sealing arrangement

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacities 1kg, 2kg, 10kg, 20kg, 25kg, 30kg, & 50kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(225)/2010]

B. N. DIXIT, Director of Legal Metrology

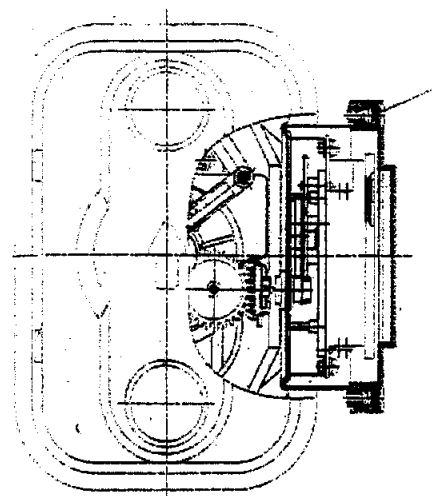
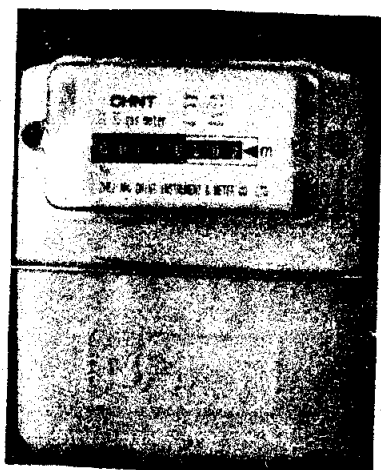
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1439.—केन्द्रीय सरकार का, विहित प्राधिकारी एन एम आई, नीदरलैण्ड, द्वारा जारी मॉडल अनुमोदन प्रमाण-पत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) और उप-धारा (7) और उप-धारा (8) के तहत प्रस्तुत शक्तियों का प्रयोग करते हुए, मैसर्स झिजिआंग चिट इंस्ट्रुमेंट एंड मीटर कं. लि., ब्रिज इंडस्ट्रियल जोन, वेनझोउ, झिजिआंग, चीन द्वारा विनिर्मित यथार्थता वर्ग 1.5 वाले डाइफ्रेगम गैस मीटर जिसके ब्रांड का नाम "चिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे भारत में मैसर्स कॉफिडेंस पेट्रोलियम इंडिया लि., 404, सत्यम अपार्टमेंट्स, 8, वर्धा रोड धानदोली, नागपुर-12 द्वारा विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/10/523 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है ;

उक्त मॉडल एक गैस मीटर है जो प्राकृतिक गैस, तरल पेट्रोलियम गैस, मार्शल गैस, आदि की प्रवाह दर को मापने के लिए प्रयोग किया जाता है। पानी के अतिरिक्त अन्य द्रव्यों के मीटर की विशेषतानुसार मीटर को विशेषतया पाइप लाइन परिचालन के लिए डिजाइन किया गया है। मॉडल की विशेषताएं निम्न प्रकार हैं :

| मॉडल | क्यू मैक्स (एम् ³ /एच) | क्यू मिन (डीएम् ³ /एच) | पीमैक्स (बार) | जी (डीएम् ³) |
|----------------------------|--------------------------------------|--------------------------------------|------------------|-----------------------------|
| जैडटी-जी4एस/जैडटी-जी4ए | 6 | 40 | 0.5/1.5 | 12 |
| जैडटी-जी4एस/जैडटी-जी4ए | 6 | 25 | 0.5/1.5 | 12 |
| जैडटी-जी4एस/जैडटी-जी4ए | 6 | 16 | 0.5/1.5 | 12 |
| जैडटी-जी2.5एस/जैडटी-जी2.5ए | 4 | 25 | 0.5/1.5 | 12 |
| जैडटी-जी2.5एस/जैडटी-जी2.5ए | 4 | 16 | 0.5/1.5 | 12 |
| जैडटी-जी1.6एस/जैडटी-जी1.6ए | 2.5 | 16 | 0.5/1.5 | 12 |



रजिस्टर के आवरण को इंस्टाल करते समय रजिस्टर में होल्स के दो अंकों को फिक्स करके सीलिंग की जाती है। स्क्रू पर दो सीलिंग केप छेड़-छाड़ से सुरक्षित रखने के लिए होते हैं। बिना छेड़-छाड़ किए सील को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबन्ध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

[फा. सं. डब्ल्यू एम-21(256)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

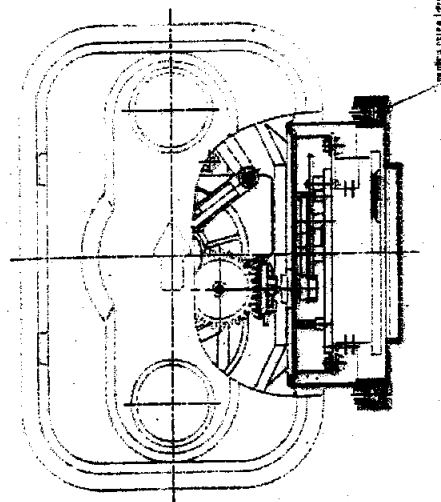
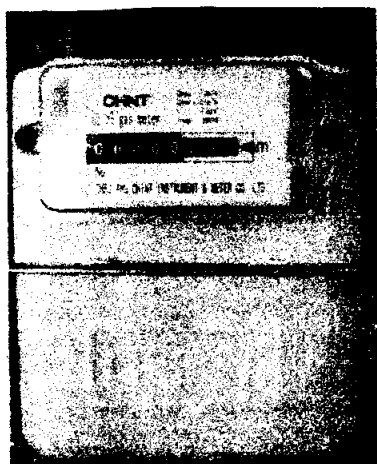
New Delhi, the 28th April, 2011

S.O. 1439.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the Model approval certificate issued by the NMI Netherlands is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of Diaphragm Gas Meter of accuracy class 1.5 and of brand 'CHINT' (hereinafter referred to as the model), manufactured by M/s. Zhejiang Chint Instrument & Meter Co. Ltd. Bridge Industrial Zone, Wenzhou, Zhejiang, China and marketed in India without any alteration before or after sale by M/s. Confidence Petroleum India Ltd., 404, Satyam Apts, 8, Wardha Road, Dhantoli, Nagpur-12 and which is assigned the approval mark IND/09/10/523;

The said model is a Gas Meter used for measuring the flow of rate of natural gas, Liquefied Petroleum Gas, Marshal Gas etc. The meter has been specifically design for pipe line operation as per the specification for meter for liquids other than water. The characteristics of the model are as follows :

| Model | Q _{max} (m ³ /h) | Q _{min} (dm ³ /h) | P _{max} (bar) | V (dm ³) |
|-------------------|---|--|---------------------------|-------------------------|
| ZT-G4S/ZT-G4A | 6 | 40 | 0.5/1.5 | 1.2 |
| ZT-G4S/ZT-G4A | 6 | 25 | 0.5/1.5 | 1.2 |
| ZT-G4S/ZT-G4A | 6 | 16 | 0.5/1.5 | 1.2 |
| ZT-G2,5S/ZT-G2,5A | 4 | 25 | 0.5/1.5 | 1.2 |
| ZT-G2,5S/ZT-G2,5A | 4 | 16 | 0.5/1.5 | 1.2 |
| ZT-G1,6S/ZT-G1,6A | 2.5 | 16 | 0.5/1.5 | 1.2 |



Sealing is done by fixing the two numbers on to the holes in register when installing the cover on to the register. The two sealing caps on the screws in order to protect tampering. The seal cannot be opened unless tampered. A typical schematic diagram of sealing provision of the model is given above.

[F.No. WM-21(256)/2010]

B. N. DIXIT, Director of Legal Metrology

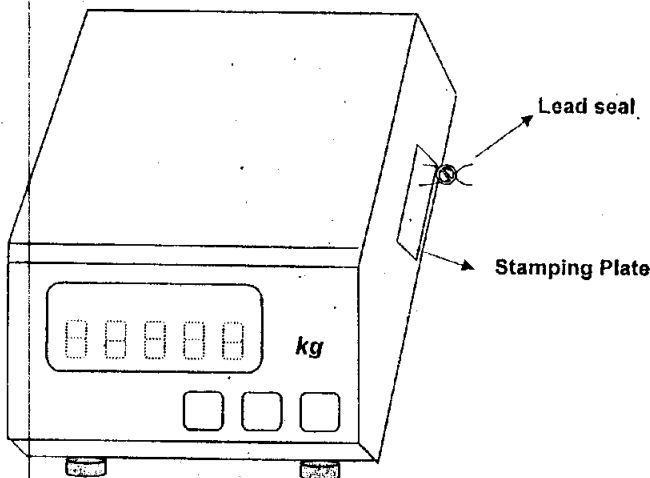
नई दिल्ली, 28 अप्रैल, 2011

का.आ.1440.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स लिओन इंजीनियरिंग, 2420-2422, डीएलएफ फेज-IV, डी एल एफ सिटी, गुडगांव-122002 (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “एलईटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “लिओन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/339 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 मॉडल



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} , और 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(213)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1440.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of Series "LET" and with brand name "LEION" (hereinafter referred to as the said model), manufactured by M/s. Leion Engineering, 2420-2422 DLF Phase-IV, DLF City, Gurgaon-122002 (Haryana) and which is assigned the approval mark IND/09/10/339;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure 1—Model

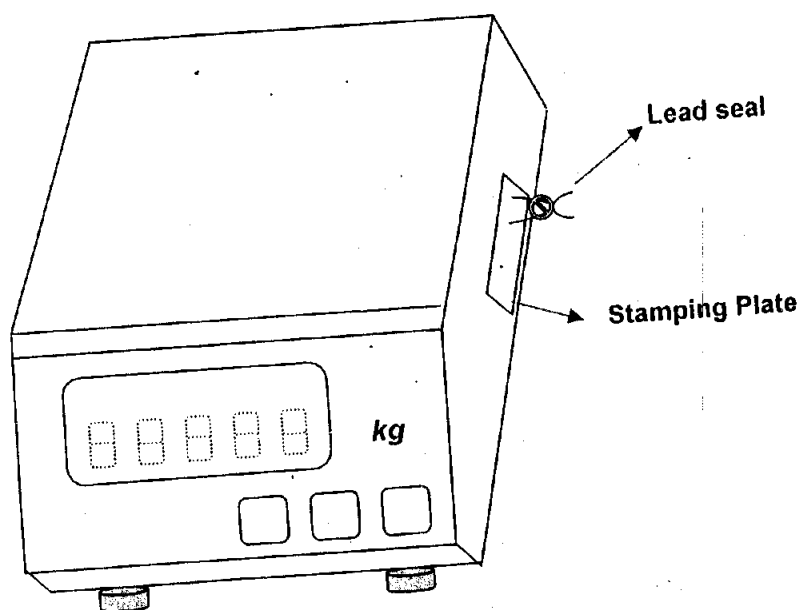


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg and with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50mg and with verification scale interval(n) in the range of 5000 to 100,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(213)/2010]

B. N. DIXIT, Director of Legal Metrology

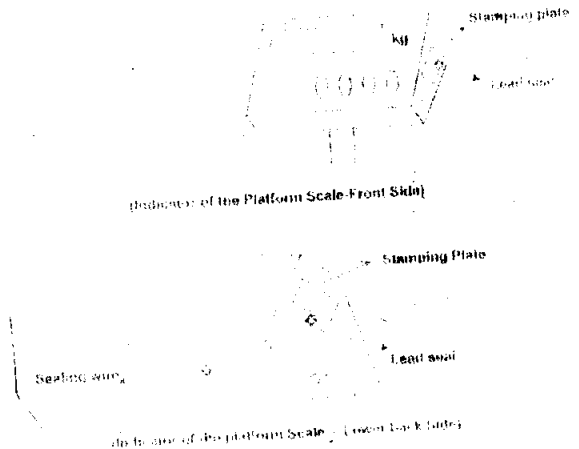
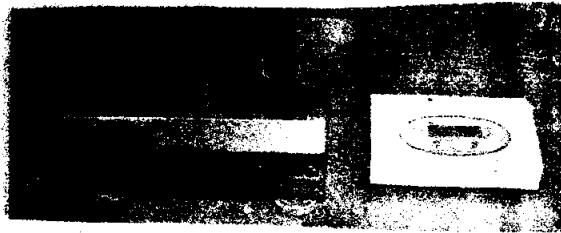
नई दिल्ली, 28 अप्रैल, 2011

क्र.आ. 1441.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स लिओन इंजीनियरिंग, 2420-2422, डीएलएफ फेज-IV, डी एल एफ सिटी, गुडगांव-122002 (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग III) वाले "एलईपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "लिओन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/340 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. है और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिलात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 मॉडल



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बैस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5,000 तक की तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, और $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(213)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1441.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of Series "LEP" and with brand name "LEION" (hereinafter referred to as the said model), manufactured by M/s. Leion Engineering, 2420-2422 DLF Phase-IV, DLF City, Gurgaon-122002 (Haryana) and which is assigned the approval mark IND/09/10/340;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure 1—Model

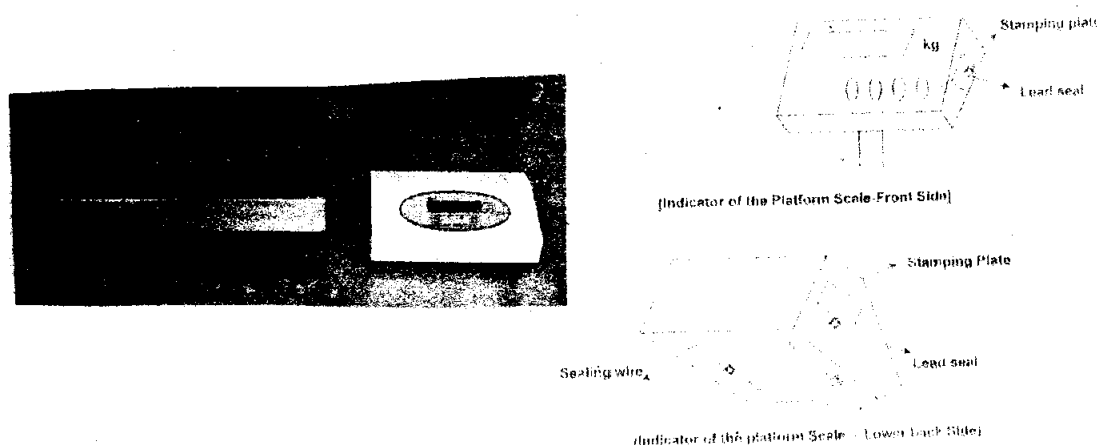


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and upto 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(213)/2010]

B. N. DIXIT, Director of Legal Metrology

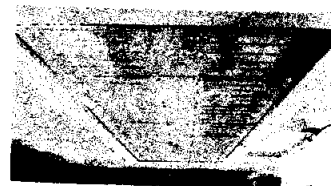
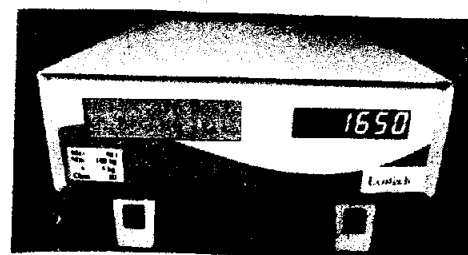
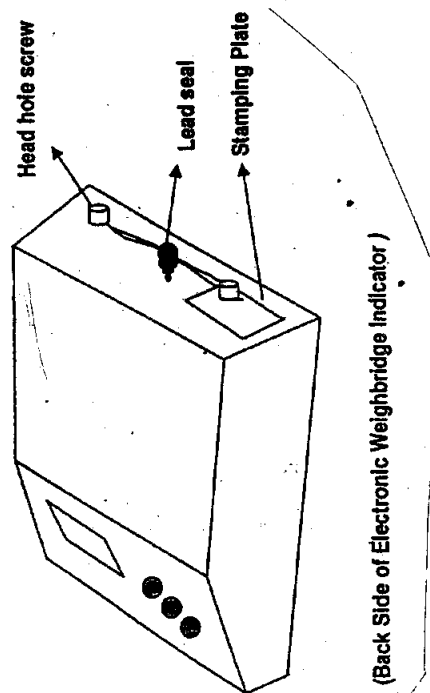
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1442.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए, मैसर्स लिओटेक वे इंडिया, टी-222, पलइ पुरम, फेज-II, मोदीपुरम, मेरठ, (उत्तर प्रदेश) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एलडब्ल्यूआई" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "लिओटेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/177 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 मॉडल



1442

आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

इंडीकेटर के राइट/बैक साइड में से तथा इंडीकेटर के पीछे दिए गए होल में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, और $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(118)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1442.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of medium accuracy (Accuracy class-III) of Series "LWI" and with brand name "LEOTECH" (hereinafter referred to as the said model), manufactured by M/s. Leotech Weigh India T-222, Pallay Puram Phase-II, Modipuram Meerut (UP) and which is assigned the approval mark IND/09/10/177.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 50 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The LED Display indicates the weighing results. The instrument operates on 230 Volts or 50 Hertz alternative current power supply.

Figure 1—Model (Weighbridge)

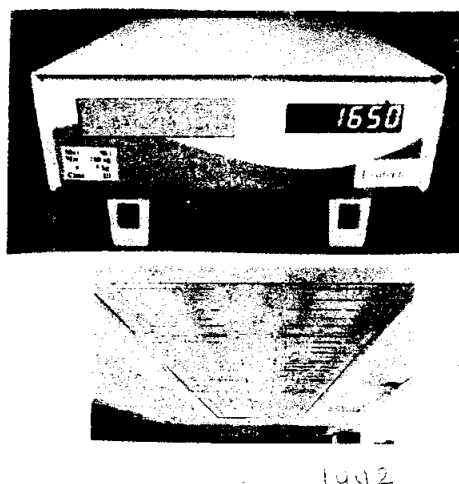
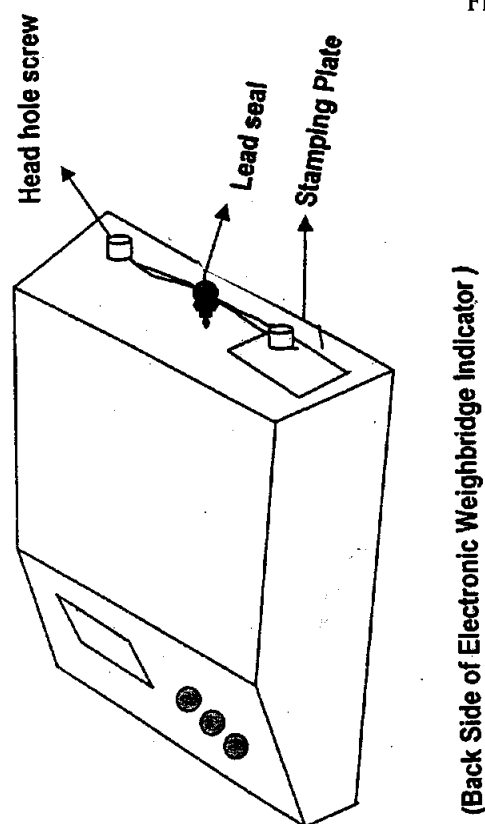


Fig.-3 Sealing provision of the indicator of the model

Sealing is done by passing the sealing wire from the right/back side of the indicator through holes on the rear side of the indicator. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or above and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and materials with which, the said approved Model has been manufactured.

[F.No. WM-21(118)/2010]

B. N. DIXIT, Director of Legal Metrology

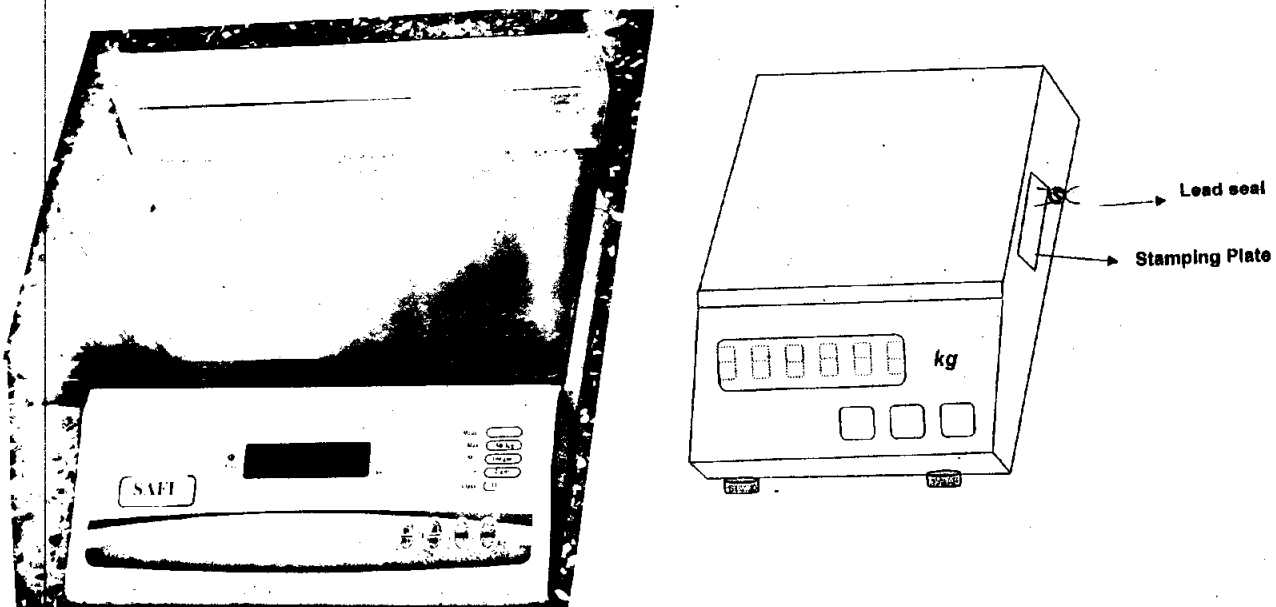
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1443.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सफी स्कैल्स एंड कम्पोनेंट्स, उंचा गांव रोड, पंजाबी धर्मशाला के पास, बल्लभगढ़, फरीदाबाद-121004 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एसएसटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "एसएफआई" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/383 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , और 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(239)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1443.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of series "SST" and with brand name "SAFI" (hereinafter referred to as the said Model), manufactured by M/s. Safi Scales & Components, Uncha Gaon Road, Near Punjabi Dharmshala, Ballabgarh, Faridabad-121004 and which is assigned the approval mark IND/09/10/383;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

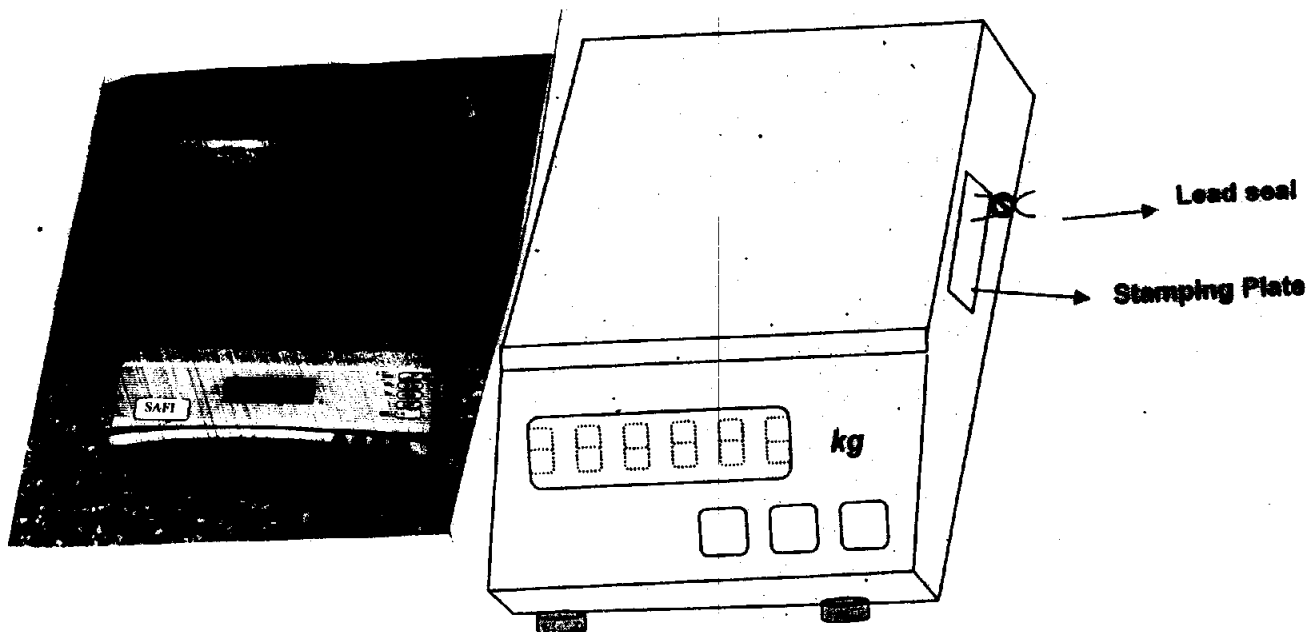


Figure-2 Schematic diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50 mg and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(239)2010]

B. N. DIXIT, Director of Legal Metrology

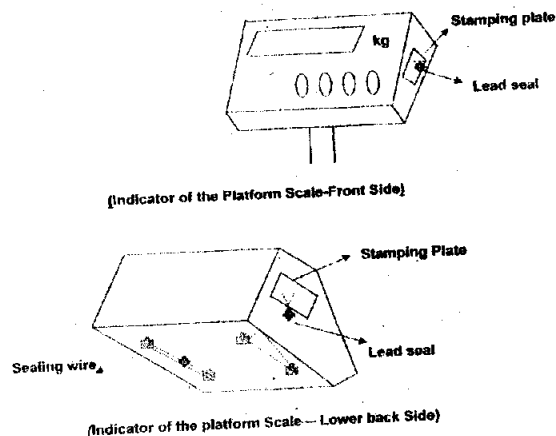
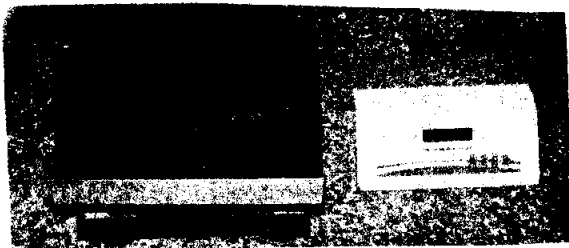
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1444.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स सफी स्केल्स एंड कम्पोनेंट्स, उंचा गांव रोड, पंजाबी धर्मशाला के पास, बल्लभगढ़, फरीदाबाद-121004 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एसएसपी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “एसएफआई” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/384 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बैस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, और $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(239)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1444.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of Series "SSP" and with brand name "SAFI" (hereinafter referred to as the said model), manufactured by M/s. Safi Scales and Components, Uncha Gaon Road, Near Punjabi Dharmshala, Ballabgarh, Faridabad-121004 and which is assigned the approval mark IND/09/10/384;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 150 kg. and minimum capacity of 400 g. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

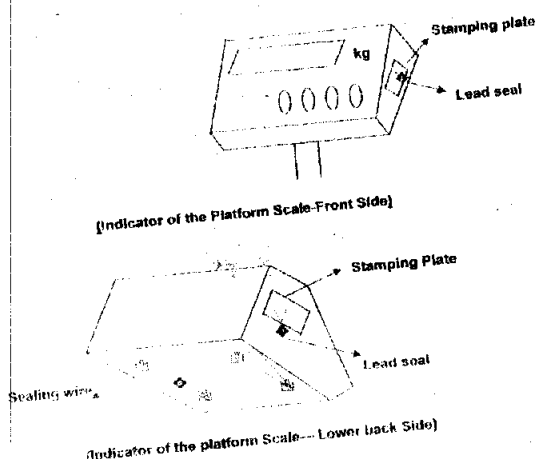
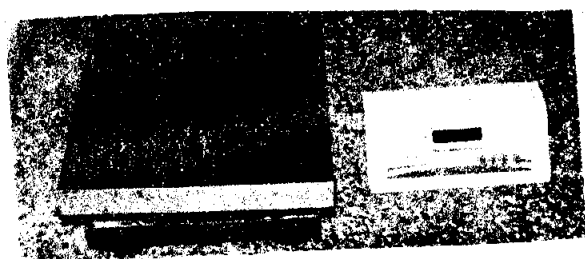


Figure 2. Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(239)/2010]

B. N. DIXIT, Director of Legal Metrology

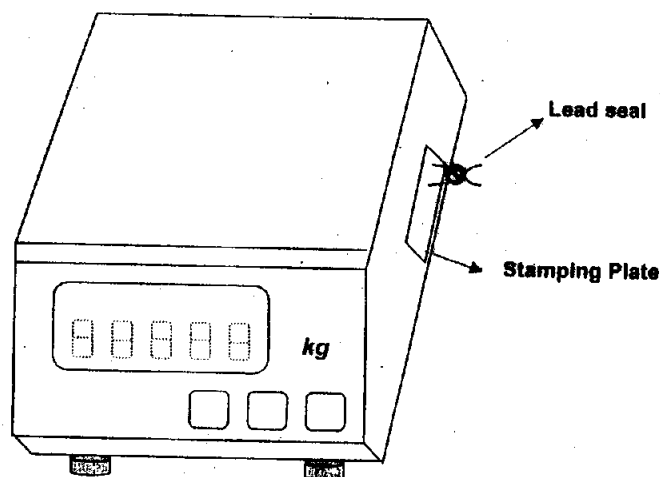
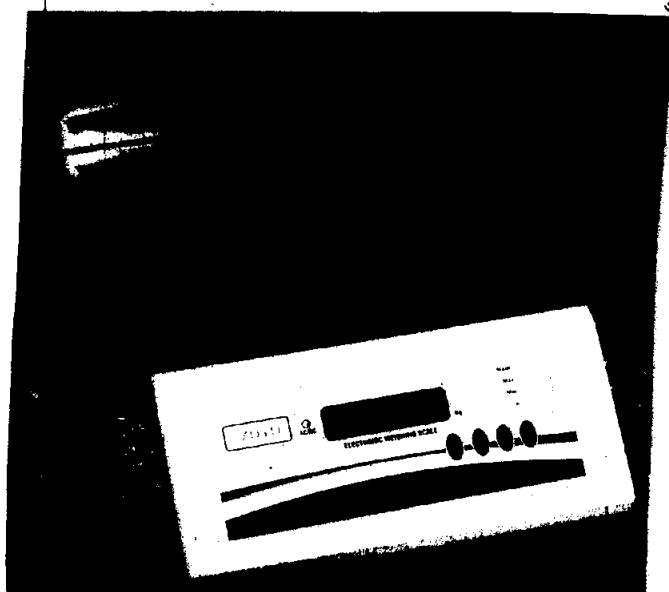
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1445.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स डिजिटैक वेइंग सिस्टम्स, गांव व डाकघर-अलिका, तह. पलवल, जिला पलवल-121102, हरियाणा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "डीडब्ल्यूटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "जोयो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/385 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(241)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1445.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of Series "DWT" and with brand name "ZOYO" (hereinafter referred to as the said model), manufactured by M/s. Digitech Weighing Systems, Village and Post-Allika, Teh. Palwal, Distt. Palwal-121102, Haryana and which is assigned the approval mark IND/09/10/385;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

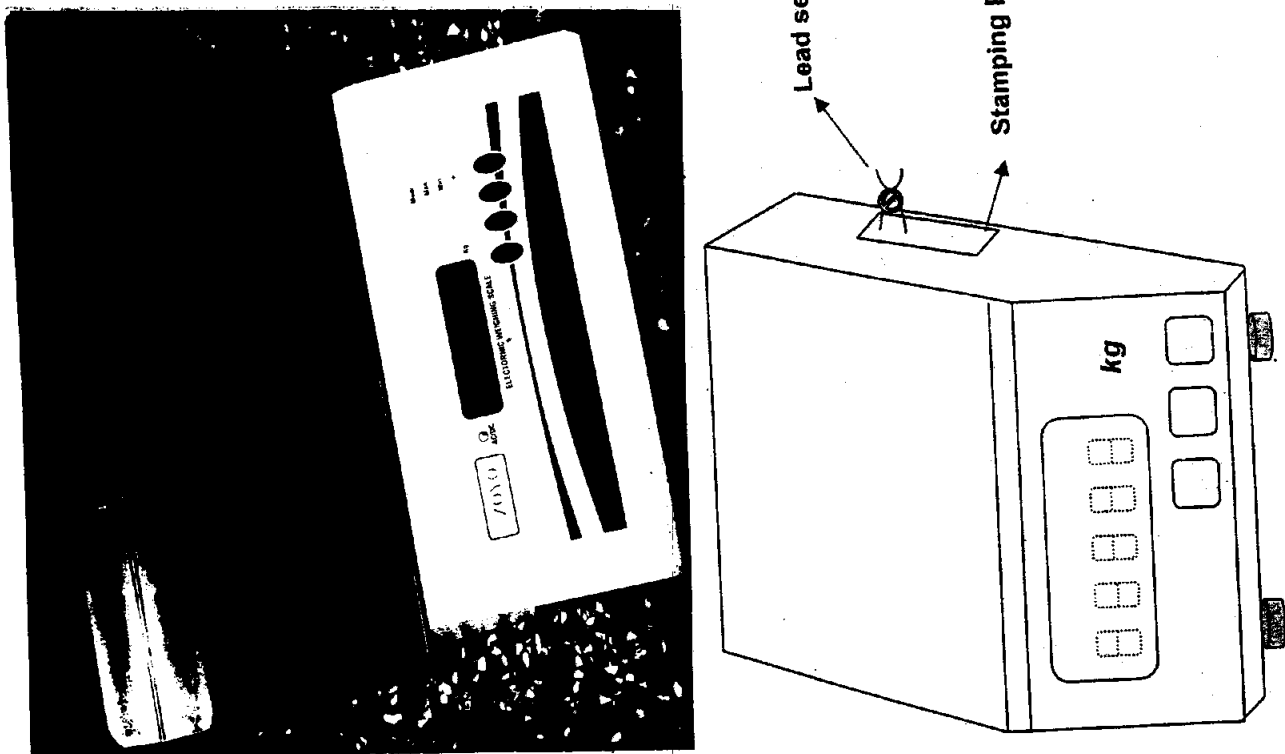


Figure-2 Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(241)/2010]

B. N. DIXIT, Director of Legal Metrology

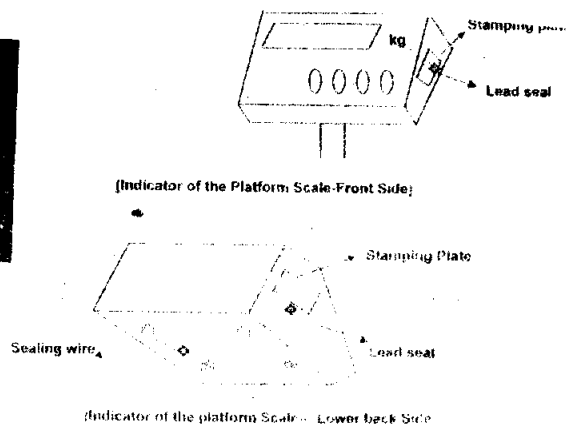
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1446.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स डिजिटैक वेइंग सिस्टमस, गांव व डाकघर-आलीका, तह. पलवल, जिला पलवल-121102, हरियाणा द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग- III) वाले "डीडब्ल्यूपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "जोयो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/386 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. है और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 : मॉडल



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समनुत्य हैं।

[फा. सं. डब्ल्यू एम-21(241)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1446.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of Series "DWP" and with brand name "ZOYO" (hereinafter referred to as the said Model), manufactured by M/s. Digitech Weighing Systems, Village & Post-Alika, Teh. Palwal, Distt. Palwal-121102, Haryana and which is assigned the approval mark IND/09/10/386;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200 kg. and minimum capacity of 400 g. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1 : Model.

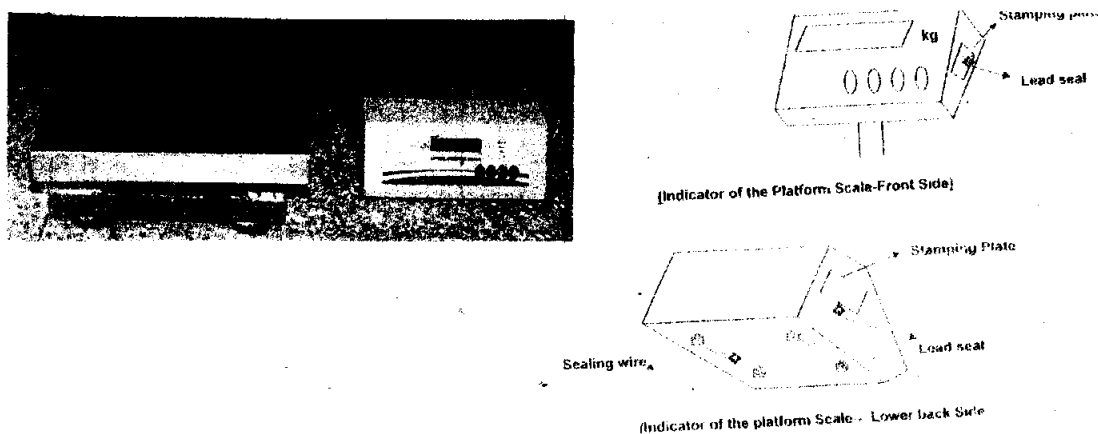


Figure-2 : Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(241)/2010]

B. N. DIXIT, Director of Legal Metrology

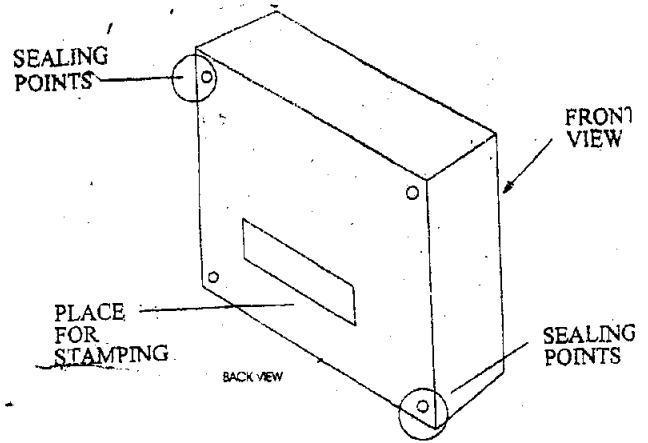
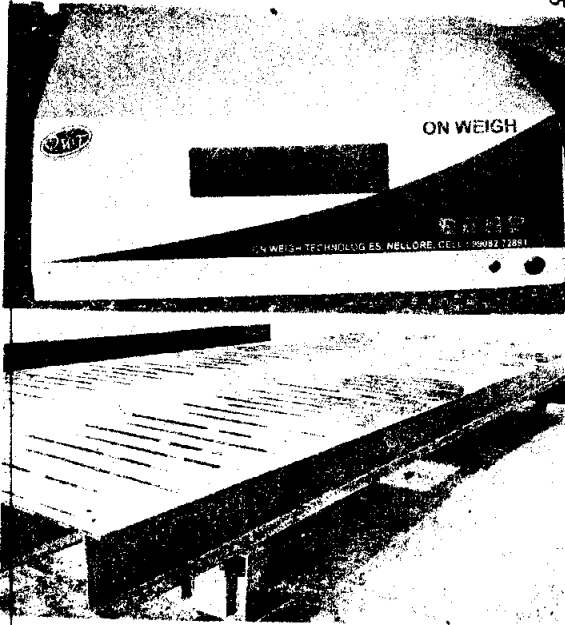
नई दिल्ली, 28 अप्रैल, 2011

का.आ. 1447.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स ऑन व्हे टेक्नोलॉजीस # 7-76, नवालक गार्डन्स 4 माइल, नेल्लोर-524002 (आंध्र प्रदेश) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ऑन-व्हे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज मल्टी लोड सैल टाइप) के मॉडल का, जिसके ब्रांड का नाम "ओडब्ल्यूटी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/614 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल विकृत गेज प्रकार का भार सैल आधारित अस्वचालित (इलेक्ट्रॉनिक वेब्रिज मल्टी लोड सैल टाइप) है। इसकी अधिकतम क्षमता 40 टन है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1 : मॉडल



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैक साइड में सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(373)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th April, 2011

S.O. 1447.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge Multi Load Cell Type) with digital indication of Medium Accuracy (Accuracy class-III) of 'Series "ON-WEIGH"' and with brand name "OWT" (hereinafter referred to as the said Model), manufactured by M/s. On Weigh Technologies # 7-76 Navalak Gardens, 4 Mile, Nellore-524002, A.P. and which is assigned the approval mark IND/09/10/614;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge-Multi Load Cell type) with a maximum capacity of 40 tonne and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 : Model

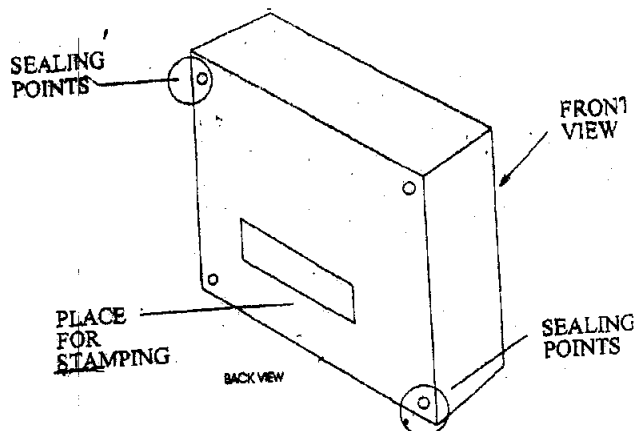


Figure-2 : Schematic diagram of sealing provision of the model.

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or above and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(373)/2010]

B. N. DIXIT, Director of Legal Metrology

(भारतीय मानक ब्यूरो)

नई दिल्ली, 16 मई 2011

का.आ. 1448.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|---|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आई एस 996 : 2009 सामान्य प्रयोजन के लिए एक फेजी ए सी प्रेरण मोटरें (तीसरा पुनरीक्षण) | - | 1 जून 2011 |

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ : ईटी 15 /टी-3]

आर. के. त्रेहन, वैज्ञानिक 'ई' एवं प्रमुख (विद्युत तकनीकी)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 16th May, 2011

S.O. 1448.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which is given in the Schedule hereto annexed has been established on the indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard | Date of Established |
|--------|--|---|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 996 : 2009 Single Phase a. c. Induction Motors for General Purpose (Third Revision) | - | 1 June 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: ET 15/T-3]

R. K. TREHAN, Scientist 'E' & Head (Electrotechnical)

नई दिल्ली, 20 मई, 2011

का.आ. 1449.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गये हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आई एस 15844 : 2010 खेल के जूते— विशिष्ट | - | 31 मई 2011 |

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 19/आईएस 15844]

ई देवेन्द्र, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 20th May, 2011

S.O. 1449.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which is given in the Schedule hereto annexed have been established on the indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards | Date of Established |
|--------|--|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 15844 : 2010 Sports Footwear-Specification | - | 31 May 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CHD 19/IS 15844]

E. DEVENDAR, Scientist 'F' & Head (Chemical)

नई दिल्ली, 20 मई, 2011

का.आ. 1450.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस/आईएसओ 8451 : 2009 उच्च दाब के गैस सिलिंडरों के आवधिक निरीक्षण एवं परीक्षण - रीति संहिता (दूसरा पुनरीक्षण) | आईएस/आईएसओ 8451: 1984 उच्च दाब के गैस सिलिंडरों का देखकर निरीक्षण के लिए रीति संहिता(पहला पुनरीक्षण) | 31 मई 2011 |

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम.ई.डी/जी-2:1]

जे. ए. सिद्दीकी, वैज्ञानिक 'ई' निदेशक (यांत्रिक इंजीनियरिंग)

New Delhi, the 20th May, 2011

S.O. 1450.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of Indian Standards, if any, Superseded by the New Indian Standards | Date of Established |
|--------|--|---|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 8451 : 2009 Periodic Inspection and testing of high pressure gas cylinders—code of practice (Second Revision) | IS 8451:1984 Code of practice for visual inspection of high pressure gas cylinders (First Revision) | 31 May 2011 |

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MED/G-2:1]

J. A. SIDDIQUI, Scientist 'E' Director (Mechanical Engineering)

नई दिल्ली, 20 मई, 2011

का.आ. 1451.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

| क्रम सं. | संशोधित भारतीय मानक की संख्या और वर्ष | संशोधन की संख्या और तिथि | संशोधन लागू होने की तिथि |
|----------|--|---------------------------|--------------------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 11552 : 2008 75 लीटर तक की क्षमता के द्रव नाइट्रोजन आधान - विशिष्टि (पहला पुनरीक्षण) | संशोधन न. 2, अप्रैल, 2011 | 12 मई 2011 |
| 2. | आईएस 15100 : 2001 मोटर वाहनों में प्रयुक्त स्थायी रूप से बने द्रवित पेट्रोलियम गैस आधानों के लिए बहुप्रकायत्मिक वाल्व असेम्बली | संशोधन न. 5, अप्रैल, 2011 | 5 मई 2011 |

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम.ई.डी/जी-2:1]

जे. ए. सिद्दीकी, वैज्ञानिक 'ई' निदेशक (यांत्रिक इंजीनियरिंग)

New Delhi, the 20th May, 2011

S.O. 1451.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards | No. and Year of the amendment | Date from which the amendment shall have effect |
|--------|--|-------------------------------|---|
| (1) | (2) | (3) | (4) |
| 1. | IS 11552 : 2008 Liquid nitrogen vessels of capacity up to 75 litres- specification (First Revision) | Amendment No.2 April 2011 | 12 May 2011 |
| 2. | IS 15100 : 2001 Multifunction valve assembly for permanently fixed liquefied petroleum gas (LPG) containers for automotive use | Amendment No.5 April 2011 | 5 May 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, and Thiruvananthapuram.

[Ref: MED/G-2:1]

J. A. SIDDIQUI, Scientist 'E' Director (Mechanical Engineering)

नई दिल्ली, 20 मई, 2011

का.आ. 1452.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

| क्रम सं. | संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | संशोधन की संख्या और तिथि | संशोधन लागू होने की तिथि |
|----------|---|---------------------------------|--------------------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 3989:2009 लोहे के स्पिगट तथा सॉकिट, अपकेन्द्री ढले (स्पन) मल, अपशिष्ट, सवांतन और बरसाती-पानी के पाइप, फिटिंग्स और सहायकांग-विशिष्ट (पहला पुनरीक्षण) | संशोधन संख्या 1 अप्रैल, 2011 | 13 मई, 2011 |

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 6/टी-22]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1452.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :—

SCHEDULE

| Sl.No. | No. and Title of the Standard (s) | No. and Year of the amendment | Date from which the amendment shall have effect |
|--------|--|-------------------------------|---|
| (1) | (2) | (3) | (4) |
| 1. | IS 3989:2009 Centrifugally cast (spun) iron spigot and socket soil, waste, ventilating and rainwater pipes, fittings and accessories - Specification | Amendment No.1 April, 2011 | 13 May, 2011 |

Copy of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD 6/T-22]

P. GHOSH, Scientist 'F' & Head (Met Engg.)

नई दिल्ली, 20 मई, 2011

का.आ. 1453.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|---|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 1528 (Pt 7) : 2010- उष्मासह सामग्रियों के नमूने लेने की और भौतिक परीक्षण पद्धतियाँ भाग 7 नमूने लेने की पद्धति एवं अनुरूपता मानदंड (दूसरा पुनरीक्षण) | आईएस 1528 (Pt 7) : 1974 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 15/टी-72]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1453.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :—

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of Indian Standard, if any, Superseded by the New Indian Standard | Date of Established |
|--------|---|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 1528 (Pt 7):2010 Methods of Sampling and Physical Tests for Refractory Materials- Pt 7 Methods of Sampling and Criteria for Conformity (Second Revision) | IS 1528 (Pt 7):1974 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD 15/T-72]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 20 मई, 2011

का.आ. 1454.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|---|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 9180: 2011- ईंधन ज्वलित भट्टियों के कार्यकारिता निर्धारण के लिए अपेक्षाएं (दूसरा पुनरीक्षण) | आईएस 9180:1991 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 26/टी-2]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1454.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard | Date of Established |
|--------|---|---|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 9180:2011- Recommendations for performance Rating of Fuel - Fired Furnaces (Second Revision) | IS 9180:1991 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also

Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD/26/T-2]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 20 मई, 2011

का.आ. 1455.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|---|--|--------------|
| (1) | (2) | (3) | (4) |

| | | | |
|----|---|-----------------------------|-------------|
| 1. | आईएस 1528 (पी.टी. 6) : 2010- उष्मासह सामग्रियों के नमूने लेने की और भौतिक परीक्षण पद्धतियाँ भाग 6 अवतुल इंसुलेंटिंग एवं सघन दुर्गलनीय के पुन तापन के बाद स्थायी रेखीय परिवर्तन का निर्धारण (दूसरा पुनरीक्षण) | आईएस 1528 (पी.टी. 6) : 1974 | 31 मई, 2011 |
|----|---|-----------------------------|-------------|

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 15/टी-71]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1455.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards | Date of Established |
|--------|--|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 1528(Pt 6):2010 Methods of Sampling and Physical Tests for Refractory Materials- Pt 6 Determination of Permanent Linear Change After Reheating for Shaped Insulating and Dense Refractories (Second Revision) | IS 1528(Pt 6):1974 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 15/T-71]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 20 मई, 2011

का.आ. 1456.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 1528 (पी.टी. 3):2010- उष्मासह सामग्रियों के नमूने लेने की और भौतिक परीक्षण पद्धतियाँ भाग 3 स्पैलिंग प्रतिरोधक ज्ञात करना (तीसरा पुनरीक्षण) | आईएस 1528 (पी.टी. 3):1983 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह ज़फर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 15/टी-68]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1456.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standard, if any, Superseded by the New Indian Standard | Date of Established |
|--------|--|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 1528(Pt 3):2010 Methods of Sampling and Physical Tests for Refractory Materials- Pt 3 Determination of Spalling Resistance (Third Revision) | IS 1528(Pt 3):1983 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 15/T-68]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 20 मई, 2011

का.आ. 1457.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (को) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 1528 (Pt 1):2010- उष्मासह सामग्रियों के नमूने लेने की और भौतिक परीक्षण पद्धतियाँ भाग 1 उत्तापमिति शंकु (पी सी इ) या गलन बिंदु का निर्धारण (तीसरा पुनरीक्षण) | आईएस 1528 (Pt 1):1980 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 15/टी-66]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1457.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standard, if any, Superseded by the New Indian Standard | Date of Established |
|--------|--|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 1528(Pt 1):2010 Methods of Sampling and Physical Tests for Refractory Materials- Pt 1 Determination of Pyrometric Cone Equivalent (PCE) or Softening Point (Third Revision) | IS 1528(Pt 1):1980 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 15/T-66]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 20 मई, 2011

का.आ. 1458.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 1405:2010- लौह अयस्क- नमूने एवं नमूना बनाना- हस्त पद्धति (तीसरा पुनरीक्षण) | आईएस 1405:1982 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 13/टी-41]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th May, 2011

S.O. 1458.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standard, if any, Superseded by the New Indian Standard | Date of Established |
|--------|--|---|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 1405:2010 Iron Ores - Sampling and Sample Preparation- Manual Method (Third Revision) | IS 1405:1982 | 31 May 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 13/T-41]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 23 मई, 2011

का.आ. 1459.—भारतीय मानक ब्यूरो नियम 1987 के उपनियम (1) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानकों की संख्या, वर्ष और शीर्षक | स्थापन की दिनांक | नये मानक द्वारा अतिक्रमित भारतीय मानक की संख्या और वर्ष |
|----------|---|------------------|---|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 3428:2009 मोचक खाँचों के आयाम (दूसरा पुनरीक्षण) | मई, 2011 | - |
| 2. | आईएस 3457:2009 सामान्य इंजीनियरिंग प्रयोजनों हेतु पूर्णांकन के लिए त्रिज्याएं (दूसरा पुनरीक्षण) | मई, 2011 | - |

[संदर्भ : पीजीडी/जी-3.5]

एस. चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (पीजीडी)

New Delhi, the 23rd May, 2011

S.O. 1459.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been established :—

SCHEDULE

| Sl. No. | IS No. & Title | Date of Establishment | IS No. and Year of Superseded Indian Standard |
|---------|--|-----------------------|---|
| (1) | (2) | (3) | (4) |
| 1. | IS 3428:2009 Dimensions for relief grooves (Second Revision) | May, 2011 | — |

| (1) | (2) | (3) | (4) |
|-----|--|-----------|-----|
| 2. | IS 3457:2009 Radii for rounding for general engineering purposes (Second Revision) | May, 2011 | — |

[Ref: PGD/G-3.5]

S. CHOWDHURY, Scientist 'F' & Head (PGD)

नई दिल्ली, 23 मई, 2011

का.आ. 1460.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|---|---|--------------|
|----------|---|---|--------------|

| (1) | (2) | (3) | (4) |
|-----|--|-----------|-------------|
| 1. | आईएस 1148:2009—संरचनागत प्रयोजनों के लिए मध्यम एवं उच्च तन्यता के इस्पात की रिबेट छड़ें (चौथा पुनरीक्षण) | 1148:1982 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 04/टी-11]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 23rd May, 2011

S.O. 1460.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :—

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards | Date of Established |
|--------|---|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 1148:2009 Steel rivet bars (Medium and high tensile) for structural purposes (Fourth Revision) | 1148:1982 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD 04/T-11]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 24 मई, 2011

का.आ. 1461.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|---|--|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 206:2010-टी और पट्टा कब्जे—विशिष्ट (पांचवाँ पुनरीक्षण) | आईएस 206:1992 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

ए. के. सेनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 24th May, 2011

S.O. 1461.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :—

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards | Date of Established |
|--------|---|--|---------------------|
| (1) | (2) | (3) | (4) |
| 1. | IS 206:2010 Tee and Strap Hinges—Specification (Fifth Revision) | IS 206:1992 | 31 May, 2011 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 24 मई, 2011

का.आ. 1462.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

| क्रम सं. | संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | संशोधन की संख्या और तिथि | संशोधन लागू होने की तिथि |
|----------|---|---------------------------------|--------------------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 3005 (Part 3):1982- कोरे ढलवां इस्पात के इंगट सॉचे स्टूल और धातुमल लैडल की विशिष्ट भाग 3 एक टन से अधिक एवं आठ टन तक भार के ढलवां इस्पात के इंगट सॉचे (पहला पुनरीक्षण) | संशोधन संख्या 1 अप्रैल, 2011 | 30-4-2011 |
| 2. | आईएस 3005 (Part 4):1984- कोरे ढलवां इस्पात के इंगट सॉचे स्टूल और धातुमल लैडल की विशिष्ट भाग 4 एक टन तक, भार के ढलवां इस्पात के इंगट सॉचे (पहला पुनरीक्षण) | संशोधन संख्या 1 अप्रैल, 2011 | 30-4-2011 |

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 6/टी-2]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 24th May, 2011

S.O. 1462.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Title of the Standard (s) | No. and Year of the amendment | Date from which the amendment shall have effect |
|--------|---|-------------------------------|---|
| (1) | (2) | (3) | (4) |
| 1. | IS 3005 (Part 3):1982 Specification for grey cast iron ingot moulds, stools and slag ladles Part 3 Grey cast iron ingot moulds of mass more than one tonne and up to eight tonnes (First Revision) | Amendment no.1 April 2011 | 30-4-2011 |
| 1. | IS 3005 (Part 4):1984 Specification for grey cast iron ingot moulds, stools and slag ladles Part 4 Grey cast iron ingot moulds of mass up to 1 tonnes (First Revision) | Amendment no.1 April 2011 | 30-4-2011 |

Copies of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD 6/T-2]

P. GHOSH, Scientist 'F' & Head (Met. Engg.)

नई दिल्ली, 25 मई, 2011

का.आ. 1463.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :

अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|---|--------------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 2911 (भाग 1/खण्ड 1): 2010 पाइल नींव की डिजाइन और निर्माण-रीति संहिता:भाग 1 कंक्रीट पाइप, अनुभाग 1 स्वस्थान ढलित कंक्रीट की ड्रिवन पाइल (दूसरा पुनरीक्षण) | आईएस 2911 (भाग 1/खण्ड 1):1979 | 31 मई 2011 |

| (1) | (2) | (3) | (4) |
|-----|--|------------------------------------|-------------|
| 2. | आईएस 2911 (भाग 1/खण्ड 2): 2010 पाइल नींव की डिजाइन और निर्माण - रीति संहिता : भाग 1 कंक्रीट पाइल, अनुभाग 2 स्वस्थान ढलित कंक्रीट की वेधित पाइल (दूसरा पुनरीक्षण) | आईएस 2911 (भाग 1/खण्ड 2) : 1979 | 31 मई, 2011 |
| 3. | आईएस 2911 (भाग 1/खण्ड 3): 2010 पाइल नींव की डिजाइन और निर्माण - रीति संहिता : भाग 1 कंक्रीट पाइल, अनुभाग 3 पूर्वढलित कंक्रीट की ड्रिवन पाइल (दूसरा पुनरीक्षण) | आईएस 2911 (भाग 1/खण्ड 3) : 1979 | 31 मई, 2011 |
| 4. | आईएस 2911 (भाग 1/खण्ड 4): 2010 पाइल नींव की डिजाइन और निर्माण - रीति संहिता : भाग 1 कंक्रीट पाइल, अनुभाग 4 पूर्ववेधित छिद्रों में पूर्वढलित कंक्रीट पाइल (पहला पुनरीक्षण) | आईएस 2911 (भाग 1/खण्ड 4) : 1984 | 31 मई, 2011 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 25th May, 2011

S.O. 1463.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Established | No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards | Date of Establishment |
|--------|---|--|-----------------------|
| (1) | (2) | (3) | (4) |
| 1. | Design and Construction of Pile Foundations - Code of Practice : Part I Concrete Piles, Section 1 Driven Cast in - Situ Concrete Piles (Second Revision) | IS 2911 (Part I/Sec 1): 1979 | 31 May, 2011 |

| (1) | (2) | (3) | (4) |
|-----|--|---------------------------------|--------------|
| 2. | Design and Construction of Pile Foundations - Code of Practice : Part 1 Concrete Piles, Section 2 Bored Cast in - Situ Concrete Piles (Second Revision) | IS 2911 (Part 1/Sec 2): 1979 | 31 May, 2011 |
| 3. | Design and Construction of Pile Foundations - Code of Practice : Part 1 Concrete Piles, Section 3 Driven Precast Concrete Piles (Second Revision) | IS 2911 (Part 1/Sec 3): 1979 | 31 May, 2011 |
| 3. | Design and Construction of Pile Foundations - Code of Practice : Part 1 Concrete Piles, Section 4 Precast Concrete Piles in Prebored Holes (First Revision) | IS 2911 (Part 1/Sec 4): 1984 | 31 May, 2011 |

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices : Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 25 मई, 2011

का.आ. 1464.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में एतद्वारा अधि सूचित किया जाता है कि नीचे अनुसूची में दिए गए भारतीय मानक को रद्द कर दिया गया है और वापस ले लिया गया है :

अनुसूची

| क्रम सं. | रद्द किये गये मानक की संख्या और वर्ष | भारत के राजपत्र भाग II, खंड 3, उप-खंड (ii) में का. आ. संख्या और तिथि प्रकाशित | टिप्पणी |
|----------|---|--|---------|
| (1) | (2) | (3) | (4) |
| 1. | आईएस 4805 : 1978-ईटों की भट्टी के निर्माण के लिए मार्गदर्शिका (पहला पुनरीक्षण) | का. आ. संख्या 1550 दिनांक 23-5-1981 | — |

[संदर्भ : सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 25th May, 2011

S.O. 1464.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, it is hereby notified that the Indian Standard, particulars of which are mentioned in the Schedule given hereafter has been cancelled and stand withdrawn :

SCHEDULE

| Sl.No. | No. and Year of the Indian Standards Cancelled | S. O. No. & Date published in the Gazette of India, Part-II Section-3, Sub-section (ii) | Remarks |
|--------|---|---|---------|
| (1) | (2) | (3) | (4) |
| 1. | IS 4805 : 1978 Guide for construction of brick kiln (First Revision) | S. O. No. 1550 Dated 23-5-1981 | — |

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

(खाद्य और सार्वजनिक वितरण विभाग)

नई दिल्ली, 23 मई, 2011

का.आ. 1465.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में उप-भोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय (खाद्य और सार्वजनिक वितरण विभाग) के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों, जिनके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:-

1. भारतीय खाद्य निगम,
जिला कार्यालय, कोल्लम,
केरल
2. भारतीय खाद्य निगम,
जिला कार्यालय, त्रिशूर,
केरल
3. भारतीय खाद्य निगम,
जिला कार्यालय, पालक्काड,
केरल

[सं. ई 11011/1/2008-हिंदी]

गिरीश शंकर, संयुक्त सचिव

(Deptt. of Food & Public Distribution)

New Delhi, the 23rd May, 2011

S.O. 1465.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976 the Central Government hereby notifies the following offices under the administrative control of the Ministry

of Consumer Affairs, Food & Public Distribution (Deptt. of Food & Public Distribution), where of more than 80% of staff has acquired the working knowledge of Hindi :

1. Food Corporation of India,
District Officer,
Kollam,
Kerala
2. Food Corporation of India,
District Officer,
Trishur,
Kerala
3. Food Corporation of India,
District Officer,
Palakkad,
Kerala

[No. E-11011/1/2008-Hindi]

GIRISH SHANKAR, Jt. Secy.

कोयला मंत्रालय

नई दिल्ली, 26 मई, 2011

का.आ. 1466.—कोयला खान (राष्ट्रीयकरण) अधिनियम, 1973 (1973 का 26) की धारा 17 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा श्री अमृत आचार्य, ओएसडी को कोयला नियंत्रक का संगठन, कोलकाता में नियुक्त करती है; जिन्हें उक्त अधिनियम के अंतर्गत भुगतान आयुक्त को सौंपे गए कार्यों को निष्पादित करने के लिए 1-4-2011 से एवं अगले आदेशों तक कोयला नियंत्रक, कोलकाता का अतिरिक्त पदभार सौंपा गया है।

[सं.-18/7/2007-ए.एस.ओ.]

शरद घोड़के, निदेशक

MINISTRY OF COAL

New Delhi, the 26th May, 2011

S.O. 1466.—In exercise of the powers conferred by sub-section (i) of Section 17 of the Coal Mines (Nationalisation) Act, 1973 (26 of 1973), the Central Government hereby appoints Shri Amrita Acharya, OSD in Coal Controllers' Organisation, Kolkata, who has been given additional charge of the post of Coal Controller, Kolkata, to perform the functions assigned to the Commissioner of Payments under the said Act, with effect from 1-4-2011 and until further orders.

[No.-18/7/2007-ASO]

SHARAD GHODKE, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 27 मई, 2011

का.आ. 1467.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में सलाया से उत्तर प्रदेश राज्य में मथुरा तक पेट्रोलियम कूड के परिवहन के लिए "सलाया-मथुरा पाइपलाइन के अंतर्गत डी-बॉटलनेकिंग परियोजना" के कार्यान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ जन साधारण को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री भीम सिंह, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पाइपलाइनन्स प्रभाग, 33, मुक्तानंद नगर, गोपालपुरा बाईपास, जयपुर-302018 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

| तहसील : फागी | | जिला : जयपुर | राज्य : राजस्थान | | |
|--------------|--------------|--------------------|------------------|-----|-----------|
| क्रम सं. | ग्राम का नाम | खसरा संख्या | क्षेत्रफल | | |
| | | | हेक्टेयर | एयर | वर्ग मीटर |
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | मैंदवास | 1782 (सरकारी भूमि) | 00 | 27 | 00 |
| | | 1795 (सरकारी भूमि) | 00 | 22 | 10 |
| | | 1795/2371 | 00 | 05 | 10 |
| | | 1798 | 00 | 05 | 30 |
| | | 1801 | 00 | 05 | 80 |
| | | 1800 | 00 | 10 | 90 |
| | | 1837 | 00 | 02 | 70 |
| | | 1836 | 00 | 04 | 40 |
| | | 1850/2379 | 00 | 08 | 40 |

| (1) (2) | (3) | (4) | (5) | (6) |
|-------------------|--------------------|-----|-----|-----|
| 1. मैंदवास (जारी) | 1850 | 00 | 08 | 00 |
| | 1851 | 00 | 07 | 40 |
| | 1853 | 00 | 07 | 30 |
| | 1852 | 00 | 01 | 70 |
| | 1899 | 00 | 05 | 80 |
| | 1900 | 00 | 12 | 30 |
| | 1997 | 00 | 00 | 20 |
| | 1995 | 00 | 00 | 20 |
| | 1994 | 00 | 08 | 60 |
| | 1993 | 00 | 04 | 60 |
| | 1992/1 | 00 | 16 | 00 |
| | 1991 | 00 | 00 | 70 |
| | 1985 | 00 | 03 | 60 |
| | 2020 | 00 | 04 | 30 |
| | 1986 | 00 | 13 | 30 |
| | 1982 | 00 | 01 | 30 |
| | 1980 (सरकारी भूमि) | 00 | 01 | 80 |
| | 1981 | 00 | 00 | 20 |
| | 2027 (सरकारी भूमि) | 00 | 00 | 80 |
| 2. नीमेड़ा | 1408 (सरकारी भूमि) | 00 | 01 | 20 |
| | 1112 | 00 | 11 | 80 |
| | 1113 | 00 | 06 | 30 |
| | 1102 | 00 | 18 | 40 |
| | 1103 | 00 | 02 | 60 |
| | 1095 | 00 | 08 | 80 |
| | 1096 | 00 | 06 | 50 |
| | 1097 | 00 | 02 | 10 |
| | 1092 | 00 | 07 | 80 |
| | 1082 | 00 | 02 | 30 |
| | 1083 | 00 | 01 | 20 |
| | 1084 | 00 | 00 | 20 |
| | 1081 | 00 | 05 | 50 |
| | 1077 | 00 | 10 | 50 |
| | 1078 | 00 | 12 | 40 |
| | 1064 | 00 | 05 | 90 |
| | 1063 (सरकारी भूमि) | 00 | 04 | 20 |

| (1) | (2) | (3) | (4) | (5) | (6) | (1) | (2) | (3) | (4) | (5) | (6) |
|-----|--------------------|------|-----|-----|-----|-----|--------------------|------|-----|-----|-----|
| 2. | नीमेड़ा (जारी) | 1062 | 00 | 01 | 80 | 2. | नीमेड़ा (जारी) | 1728 | 00 | 09 | 60 |
| | 1224 (सरकारी भूमि) | | 00 | 01 | 80 | | 1727 | | 00 | 09 | 20 |
| | 1212 | | 00 | 11 | 90 | | 1726 | | 00 | 00 | 20 |
| | 1205 | | 00 | 14 | 10 | | 1826 | | 00 | 10 | 70 |
| | 1226/1 | | 00 | 10 | 50 | | 1825 | | 00 | 01 | 00 |
| | 1227 | | 00 | 08 | 40 | | 1824 (सरकारी भूमि) | | 00 | 00 | 20 |
| | 1249 | | 00 | 12 | 30 | | 1821 | | 00 | 02 | 40 |
| | 1246 | | 00 | 12 | 80 | | 1822 | | 00 | 00 | 20 |
| | 1254 | | 00 | 00 | 20 | | 1820 | | 00 | 03 | 00 |
| | 1255 | | 00 | 06 | 90 | | 1818 | | 00 | 00 | 40 |
| | 1336 | | 00 | 09 | 80 | | 1817 | | 00 | 03 | 00 |
| | 1335 | | 00 | 01 | 20 | | 1812 | | 00 | 02 | 30 |
| | 1331 | | 00 | 06 | 20 | | 1809 | | 00 | 06 | 90 |
| | 1332 | | 00 | 03 | 60 | | 1804 | | 00 | 00 | 70 |
| | 1329 (सरकारी भूमि) | | 00 | 02 | 40 | | 1802 | | 00 | 05 | 00 |
| | 1346 (सरकारी भूमि) | | 00 | 01 | 20 | | 1840 | | 00 | 00 | 30 |
| | 1347 | | 00 | 07 | 30 | | 2049 | | 00 | 06 | 80 |
| | 1348 | | 00 | 06 | 30 | | 2050 | | 00 | 01 | 00 |
| | 1355 | | 00 | 00 | 80 | | 2053 | | 00 | 03 | 00 |
| | 1357 | | 00 | 08 | 00 | | 2054 | | 00 | 00 | 20 |
| | 1358 | | 00 | 00 | 70 | | 2063 (सरकारी भूमि) | | 00 | 00 | 30 |
| | 1362 | | 00 | 07 | 70 | | 2061 | | 00 | 01 | 40 |
| | 1363 | | 00 | 07 | 50 | | 2060 | | 00 | 06 | 10 |
| | 1545 (सा.नि.वि.) | | 00 | 01 | 30 | | 2058 | | 00 | 00 | 20 |
| | 1546 (सा.नि.वि.) | | 00 | 01 | 30 | | 2059 | | 00 | 05 | 80 |
| | 1547 (सा.नि.वि.) | | 00 | 00 | 90 | | 2102 | | 00 | 00 | 30 |
| | 1638/1 | | 00 | 15 | 10 | | 2100 | | 00 | 04 | 80 |
| | 1640 | | 00 | 03 | 10 | | 2101 | | 00 | 01 | 40 |
| | 1622 (सरकारी भूमि) | | 00 | 00 | 70 | | 2800 | | 00 | 00 | 60 |
| | 1620 | | 00 | 07 | 80 | | 2798 | | 00 | 04 | 90 |
| | 1619 | | 00 | 13 | 10 | | 2797 | | 00 | 07 | 00 |
| | 1605 | | 00 | 01 | 10 | | 2818 (सरकारी भूमि) | | 00 | 01 | 80 |
| | 1606 | | 00 | 10 | 60 | | 2794 (सरकारी भूमि) | | 00 | 00 | 20 |
| | 1613 | | 0 | 03 | 60 | | 2830 | | 00 | 02 | 20 |
| | 1612 | | 00 | 02 | 70 | | 2835 | | 00 | 05 | 10 |
| | 1697/1 | | 00 | 09 | 50 | | | | | | |
| | 1729 | | 00 | 09 | 60 | | | | | | |

| (1) | (2) | (3) | (4) | (5) | (6) | (1) | (2) | (3) | (4) | (5) | (6) |
|-----|----------------|------|-----|-----|-----|-----|----------------|---------------------|-----|-----|-----|
| 2 | नीमेड़ा (जारी) | 2833 | 00 | 01 | 00 | 2 | नीमेड़ा (जारी) | 2964 | 00 | 04 | 10 |
| | | 2830 | 00 | 01 | 50 | | | 2965 | 00 | 04 | 50 |
| | | 2831 | 00 | 02 | 20 | | | 2966 | 00 | 01 | 40 |
| | | 2832 | 00 | 02 | 10 | | | 2951 | 00 | 04 | 70 |
| | | 2827 | 00 | 01 | 10 | | | 2952 | 00 | 00 | 70 |
| | | 2826 | 00 | 04 | 80 | | | 2950 | 00 | 00 | 40 |
| | | 2825 | 00 | 01 | 50 | | | 2947 | 00 | 01 | 00 |
| | | 2823 | 00 | 01 | 00 | | | 2948 | 00 | 02 | 10 |
| | | 2824 | 00 | 00 | 20 | | | 2949 | 00 | 00 | 20 |
| | | 2870 | 00 | 04 | 10 | | | 2945/2 | 00 | 05 | 80 |
| | | 2871 | 00 | 02 | 60 | | | 2908 | 00 | 00 | 40 |
| | | 2872 | 00 | 03 | 50 | | | 2945/3 | 00 | 00 | 20 |
| | | 2885 | 00 | 05 | 60 | | | 2945/4 | 00 | 15 | 60 |
| | | 3068 | 00 | 01 | 40 | 3. | केरिया | 449 | 00 | 09 | 60 |
| | | 3069 | 00 | 03 | 20 | | | 450 (सरकारी भूमि) | 00 | 05 | 00 |
| | | 2884 | 00 | 03 | 40 | | | 451/2 (सरकारी भूमि) | 00 | 07 | 60 |
| | | 3078 | 00 | 02 | 50 | | | 451/1 (सरकारी भूमि) | 00 | 02 | 60 |
| | | 3066 | 00 | 01 | 20 | | | 456 | 00 | 13 | 60 |
| | | 3007 | 00 | 03 | 00 | | | 455 | 00 | 02 | 80 |
| | | 3008 | 00 | 09 | 00 | | | 460 | 00 | 00 | 60 |
| | | 3004 | 00 | 01 | 70 | | | 461 | 00 | 07 | 60 |
| | | 3009 | 00 | 01 | 30 | | | 462 | 00 | 02 | 60 |
| | | 3002 | 00 | 04 | 70 | | | 471 | 00 | 06 | 10 |
| | | 3001 | 00 | 05 | 30 | | | 470 | 00 | 03 | 90 |
| | | 2928 | 00 | 01 | 20 | | | 478 | 00 | 00 | 20 |
| | | 2992 | 00 | 01 | 10 | | | 477 | 00 | 05 | 80 |
| | | 2998 | 00 | 01 | 40 | | | 497/3 | 00 | 04 | 70 |
| | | 2991 | 00 | 03 | 10 | | | 497/2 | 00 | 34 | 70 |
| | | 2987 | 00 | 04 | 50 | | | 498/1 | 00 | 00 | 20 |
| | | 2986 | 00 | 03 | 00 | | | 502 | 00 | 09 | 30 |
| | | 2932 | 00 | 00 | 20 | | | 504 (सरकारी भूमि) | 00 | 38 | 10 |
| | | 2933 | 00 | 00 | 20 | | | 290/2 | 00 | 01 | 50 |
| | | 2934 | 00 | 00 | 30 | | | 291 | 00 | 04 | 30 |
| | | 2962 | 00 | 05 | 50 | | | | | | |
| | | 2963 | 00 | 01 | 00 | | | | | | |

| (1) | (2) | (3) | (4) | (5) | (6) | (1) | (2) | (3) | (4) | (5) | (6) |
|-----|---------------|-------------------|-----|-----|-----|-----|---------|------------------|-----|-----|-----|
| 3. | केरिया (जारी) | 288 | 00 | 11 | 70 | 4. | कंवरपुर | 70 (सरकारी भूमि) | 00 | 01 | 50 |
| | | 289 | 00 | 01 | 30 | | (जारी) | 74 | 00 | 00 | 90 |
| | | 285 | 00 | 02 | 10 | | | 73 | 00 | 09 | 90 |
| | | 286 | 00 | 13 | 00 | | | 75 | 00 | 09 | 10 |
| | | 282 | 00 | 05 | 00 | | | 76 | 00 | 03 | 40 |
| | | 265 | 00 | 15 | 10 | | | 96 | 01 | 15 | 10 |
| | | 266 | 00 | 09 | 70 | 5. | रतनपुरा | 155 | 00 | 17 | 90 |
| | | 267 | 00 | 06 | 20 | | | 98/1 | 00 | 16 | 10 |
| 4. | कंवरपुर | 199 | 00 | 02 | 20 | | | 10 | 00 | 01 | 20 |
| | | 200 | 00 | 10 | 70 | | | 22/1 | 00 | 14 | 30 |
| | | 198 | 00 | 02 | 10 | | | 22/2 | 00 | 00 | 20 |
| | | 201 | 00 | 01 | 00 | | | 23 | 00 | 02 | 00 |
| | | 202 | 00 | 17 | 70 | | | 25 | 00 | 03 | 70 |
| | | 196 | 00 | 04 | 30 | | | 26 | 00 | 03 | 50 |
| | | 195 (सरकारी भूमि) | 00 | 05 | 60 | | | 27/2 | 00 | 00 | 20 |
| | | 194 | 00 | 02 | 30 | | | 27/1 | 00 | 03 | 10 |
| | | 193 | 00 | 08 | 00 | | | 33 | 00 | 00 | 30 |
| | | 192 | 00 | 00 | 80 | | | 28 | 00 | 00 | 80 |
| | | 161 (सरकारी भूमि) | 00 | 01 | 60 | | | 32 | 00 | 02 | 10 |
| | | 20/2 | 00 | 00 | 20 | | | 30 | 00 | 04 | 50 |
| | | 20/3 | 00 | 08 | 10 | | | 29 | 00 | 03 | 60 |
| | | 21 | 00 | 00 | 60 | | | 44 | 00 | 02 | 20 |
| | | 22 | 00 | 02 | 30 | | | 43 | 00 | 00 | 70 |
| | | 33 | 00 | 06 | 50 | | | 42 | 00 | 06 | 70 |
| | | 32 | 00 | 02 | 50 | | | 47 | 00 | 00 | 60 |
| | | 35 | 00 | 06 | 10 | | | 48 | 00 | 06 | 80 |
| | | 31 | 00 | 08 | 20 | | | 49 | 00 | 00 | 30 |
| | | 36 | 00 | 04 | 60 | | | 51 | 00 | 10 | 20 |
| | | 30 | 00 | 00 | 80 | | | 52 (सरकारी भूमि) | 00 | 00 | 80 |
| | | 38 | 00 | 07 | 10 | | | 53 | 00 | 00 | 40 |
| | | 56 | 00 | 24 | 40 | | | 58 | 00 | 04 | 10 |
| | | 52 | 00 | 03 | 20 | | | 59 | 00 | 09 | 60 |
| | | 55 | 00 | 19 | 10 | | | 400 | 00 | 07 | 10 |
| | | | | | | | | 401 | 00 | 02 | 00 |

| (1) (2) | (3) | (4) | (5) | (6) |
|-------------|--------------------|-----|-----|-----|
| 6. मांदी | 848 | 00 | 07 | 10 |
| | 954 | 00 | 12 | 30 |
| | 953 | 00 | 06 | 10 |
| | 956 | 00 | 08 | 20 |
| | 949 | 00 | 08 | 00 |
| | 966 | 00 | 03 | 10 |
| | 967 | 00 | 07 | 20 |
| | 970/2 | 00 | 10 | 00 |
| | 970/1 | 00 | 04 | 60 |
| | 969 | 00 | 05 | 00 |
| | 971 (सरकारी भूमि) | 00 | 03 | 10 |
| | 942 | 00 | 01 | 20 |
| | 977 | 00 | 02 | 70 |
| | 976 | 00 | 08 | 10 |
| | 975 | 00 | 04 | 10 |
| | 983 | 00 | 13 | 10 |
| | 982 | 00 | 00 | 50 |
| | 984 | 00 | 04 | 70 |
| | 981 | 00 | 05 | 50 |
| | 994 | 00 | 03 | 50 |
| | 1000 | 00 | 00 | 20 |
| | 998 | 00 | 06 | 50 |
| | 999 | 00 | 09 | 40 |
| | 1009 | 00 | 06 | 10 |
| | 1010 | 00 | 09 | 90 |
| | 927 (सरकारी भूमि) | 00 | 01 | 00 |
| | 896/2 | 00 | 08 | 80 |
| | 896/1 | 00 | 03 | 30 |
| | 1011 (सरकारी भूमि) | 00 | 01 | 00 |
| | 1015 | 00 | 06 | 30 |
| | 1014 | 00 | 06 | 30 |
| | 1013 | 00 | 04 | 80 |
| | 1012 | 00 | 14 | 70 |
| 7. नथमलपुरा | 61 | 00 | 01 | 40 |

[फा. सं. आर-25011/13/2011-ओआर-1]

बी. के. दत्ता, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 27th May, 2011

S.O. 1467.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum crude a pipeline from Salaya in the State of Gujarat to Mathura in the State of Uttar Pradesh, (Under Salaya-Mathura Pipeline De-bottlenecking Project) should be laid by the Indian Oil Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Bhim Singh, Competent Authority, Indian Oil Corporation Limited (Pipelines Division), 33, Muktanand Nagar, Gopalpura Bypass, Jaipur -302018 (Rajasthan).

SCHEDULE

| Tehsil : Phagi | | Distt. : Jaipur | State : Rajasthan | | |
|----------------|-----------------|-------------------|-------------------|-----|-----------|
| Sl. No. | Name of Village | Khasra No. | Area | | |
| | | | Hectare | Are | Sq. Metre |
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | Maindwas | 1782 (Govt. Land) | 00 | 27 | 00 |
| | | 1795 (Govt. Land) | 00 | 22 | 10 |
| | | 1795/2371 | 00 | 05 | 10 |
| | | 1798 | 00 | 05 | 30 |
| | | 1801 | 00 | 05 | 80 |
| | | 1800 | 00 | 10 | 90 |
| | | 1837 | 00 | 02 | 70 |
| | | 1836 | 00 | 04 | 40 |
| | | 1850/2379 | 00 | 08 | 40 |
| | | 1850 | 00 | 08 | 00 |
| | | 1851 | 00 | 07 | 40 |
| | | 1853 | 00 | 07 | 30 |

| (1) | (2) | (3) | (4) | (5) | (6) | (1) | (2) | (3) | (4) | (5) | (6) |
|-----|----------|-------------------|-----|-----|-----|-----|----------|-------------------|-----|-----|-----|
| 1. | Maindwas | 1852 | 00 | 01 | 70 | 2. | Nimera | 1205 | 00 | 14 | 10 |
| | (Contd.) | 1899 | 00 | 05 | 80 | | (Contd.) | 1226/1 | 00 | 10 | 50 |
| | | 1900 | 00 | 12 | 30 | | | 1227 | 00 | 08 | 40 |
| | | 1997 | 00 | 00 | 20 | | | 1249 | 00 | 12 | 30 |
| | | 1995 | 00 | 00 | 20 | | | 1246 | 00 | 12 | 80 |
| | | 1994 | 00 | 08 | 60 | | | 1254 | 00 | 00 | 20 |
| | | 1993 | 00 | 04 | 60 | | | 1255 | 00 | 06 | 90 |
| | | 1992/1 | 00 | 16 | 00 | | | 1336 | 00 | 09 | 80 |
| | | 1991 | 00 | 00 | 70 | | | 1335 | 00 | 01 | 20 |
| | | 1985 | 00 | 03 | 60 | | | 1331 | 00 | 06 | 20 |
| | | 2020 | 00 | 04 | 30 | | | 1332 | 00 | 03 | 60 |
| | | 1986 | 00 | 13 | 30 | | | 1329 (Govt. Land) | 00 | 02 | 40 |
| | | 1982 | 00 | 01 | 30 | | | 1346 (Govt. Land) | 00 | 01 | 20 |
| | | 1980 (Govt. Land) | 00 | 01 | 80 | | | 1347 | 00 | 07 | 30 |
| | | 1981 | 00 | 00 | 20 | | | 1348 | 00 | 06 | 30 |
| | | 2027 (Govt. Land) | 00 | 00 | 80 | | | 1355 | 00 | 00 | 80 |
| 2. | Nimera | 1108 (Govt. Land) | 00 | 01 | 20 | | | 1357 | 00 | 08 | 00 |
| | | 1112 | 00 | 11 | 80 | | | 1358 | 00 | 00 | 70 |
| | | 1113 | 00 | 06 | 30 | | | 1362 | 00 | 07 | 70 |
| | | 1102 | 00 | 18 | 40 | | | 1363 | 00 | 07 | 50 |
| | | 1103 | 00 | 02 | 60 | | | 1545 (P.W.D) | 00 | 01 | 30 |
| | | 1095 | 00 | 08 | 80 | | | 1546 (P.W.D) | 00 | 01 | 30 |
| | | 1096 | 00 | 06 | 50 | | | 1547 (P.W.D) | 00 | 00 | 90 |
| | | 1097 | 00 | 02 | 10 | | | 1638/1 | 00 | 15 | 10 |
| | | 1092 | 00 | 07 | 80 | | | 1640 | 00 | 03 | 10 |
| | | 1082 | 00 | 02 | 30 | | | 1622 (Govt. Land) | 00 | 00 | 70 |
| | | 1083 | 00 | 01 | 20 | | | 1620 | 00 | 07 | 80 |
| | | 1084 | 00 | 00 | 20 | | | 1619 | 00 | 13 | 10 |
| | | 1081 | 00 | 05 | 50 | | | 1605 | 00 | 01 | 10 |
| | | 1077 | 00 | 10 | 50 | | | 1606 | 00 | 10 | 60 |
| | | 1078 | 00 | 12 | 40 | | | 1613 | 00 | 03 | 60 |
| | | 1064 | 00 | 05 | 90 | | | 1612 | 00 | 02 | 70 |
| | | 1063 (Govt. Land) | 00 | 04 | 20 | | | 1697/1 | 00 | 09 | 50 |
| | | 1062 | 00 | 01 | 80 | | | 1729 | 00 | 09 | 60 |
| | | 1224 (Govt. Land) | 00 | 01 | 80 | | | 1728 | 00 | 09 | 60 |
| | | 1212 | 00 | 11 | 90 | | | 1727 | 00 | 09 | 20 |

| (1) (2) | (3) | (4) | (5) | (6) | (1) (2) | (3) | (4) | (5) | (6) |
|-----------|-------------------|-----|-----|-----|-----------|------|-----|-----|-----|
| 2. Nimera | 1726 | 00 | 00 | 20 | 2. Nimera | 2831 | 00 | 02 | 20 |
| (Contd.) | 1826 | 00 | 10 | 70 | (Contd.) | 2832 | 00 | 02 | 10 |
| | 1825 | 00 | 01 | 00 | | 2837 | 00 | 01 | 10 |
| | 1824 (Govt. Land) | 00 | 00 | 20 | | 2826 | 00 | 04 | 80 |
| | 1821 | 00 | 02 | 40 | | 2825 | 00 | 01 | 50 |
| | 1822 | 00 | 00 | 20 | | 2823 | 00 | 01 | 00 |
| | 1820 | 00 | 03 | 00 | | 2824 | 00 | 00 | 20 |
| | 1818 | 00 | 00 | 40 | | 2870 | 00 | 04 | 10 |
| | 1817 | 00 | 03 | 00 | | 2871 | 00 | 02 | 60 |
| | 1812 | 00 | 02 | 30 | | 2872 | 00 | 03 | 50 |
| | 1809 | 00 | 06 | 90 | | 2885 | 00 | 05 | 60 |
| | 1804 | 00 | 00 | 70 | | 3068 | 00 | 01 | 40 |
| | 1802 | 00 | 05 | 00 | | 3069 | 00 | 03 | 20 |
| | 1840 | 00 | 00 | 30 | | 2884 | 00 | 03 | 40 |
| | 2049 | 00 | 06 | 80 | | 3078 | 00 | 02 | 50 |
| | 2050 | 00 | 01 | 00 | | 3066 | 00 | 01 | 20 |
| | 2053 | 00 | 03 | 00 | | 3007 | 00 | 03 | 00 |
| | 2054 | 00 | 00 | 20 | | 3008 | 00 | 09 | 00 |
| | 2063 (Govt. Land) | 00 | 00 | 30 | | 3004 | 00 | 01 | 70 |
| | 2061 | 00 | 01 | 40 | | 3009 | 00 | 01 | 30 |
| | 2060 | 00 | 06 | 10 | | 3002 | 00 | 04 | 70 |
| | 2058 | 00 | 00 | 20 | | 3001 | 00 | 05 | 30 |
| | 2059 | 00 | 05 | 80 | | 2928 | 00 | 01 | 20 |
| | 2102 | 00 | 00 | 30 | | 2992 | 00 | 01 | 10 |
| | 2100 | 00 | 04 | 80 | | 2998 | 00 | 01 | 40 |
| | 2101 | 00 | 01 | 40 | | 2991 | 00 | 03 | 10 |
| | 2800 | 00 | 00 | 60 | | 2987 | 00 | 04 | 50 |
| | 2798 | 00 | 04 | 90 | | 2986 | 00 | 03 | 00 |
| | 2797 | 00 | 07 | 00 | | 2932 | 00 | 00 | 20 |
| | 2818 (Govt. Land) | 00 | 01 | 80 | | 2933 | 00 | 00 | 20 |
| | 2794 (Govt. Land) | 00 | 00 | 20 | | 2934 | 00 | 00 | 30 |
| | 2834 | 00 | 02 | 20 | | 2962 | 00 | 05 | 50 |
| | 2835 | 00 | 05 | 10 | | 2963 | 00 | 01 | 00 |
| | 2833 | 00 | 01 | 00 | | 2964 | 00 | 04 | 10 |
| | 2830 | 00 | 01 | 50 | | | | | |

| (1) | (2) | (3) | (4) | (5) | (6) | (1) | (2) | (3) | (4) | (5) | (6) |
|-----|----------|--------------------|-----|-----|-----|-----|------------|------------------|-----|-----|-----|
| 2. | Nimera | 2965 | 00 | 04 | 50 | 3. | Keria | 289 | 00 | 01 | 30 |
| | (Contd.) | 2966 | 00 | 01 | 40 | | (Contd.) | 285 | 00 | 02 | 10 |
| | | 2951 | 00 | 04 | 70 | | | 286 | 00 | 13 | 00 |
| | | 2952 | 00 | 00 | 70 | | | 282 | 00 | 05 | 00 |
| | | 2950 | 00 | 00 | 40 | | | 265 | 00 | 15 | 10 |
| | | 2947 | 00 | 01 | 00 | | | 266 | 00 | 09 | 70 |
| | | 2948 | 00 | 02 | 10 | | | 267 | 00 | 06 | 20 |
| | | 2949 | 00 | 00 | 20 | 4. | Kanwarpura | 199 | 00 | 02 | 20 |
| | | 2945/2 | 00 | 05 | 80 | | | 200 | 00 | 10 | 70 |
| | | 2908 | 00 | 00 | 40 | | | 198 | 00 | 02 | 10 |
| | | 2945/3 | 00 | 00 | 20 | | | 201 | 00 | 01 | 00 |
| | | 2945/4 | 00 | 15 | 60 | | | 202 | 00 | 17 | 70 |
| 3. | Keria | 449 | 00 | 09 | 60 | | | 196 | 00 | 04 | 30 |
| | | 450 (Govt. Land) | 00 | 05 | 00 | | | 195 (Govt. Land) | 00 | 05 | 60 |
| | | 451/2 (Govt. Land) | 00 | 07 | 60 | | | 194 | 00 | 02 | 30 |
| | | 451/1 (Govt. Land) | 00 | 02 | 60 | | | 193 | 00 | 08 | 00 |
| | | 456 | 00 | 13 | 60 | | | 192 | 00 | 00 | 80 |
| | | 455 | 00 | 02 | 80 | | | 161 (Govt. Land) | 00 | 01 | 60 |
| | | 460 | 00 | 00 | 60 | | | 20/2 | 00 | 00 | 20 |
| | | 461 | 00 | 07 | 60 | | | 20/3 | 00 | 08 | 10 |
| | | 462 | 00 | 02 | 60 | | | 21 | 00 | 00 | 60 |
| | | 471 | 00 | 06 | 10 | | | 22 | 00 | 02 | 30 |
| | | 470 | 00 | 03 | 90 | | | 33 | 00 | 06 | 50 |
| | | 478 | 00 | 00 | 20 | | | 32 | 00 | 02 | 50 |
| | | 477 | 00 | 05 | 80 | | | 35 | 00 | 06 | 10 |
| | | 497/3 | 00 | 04 | 70 | | | 31 | 00 | 08 | 20 |
| | | 497/2 | 00 | 34 | 70 | | | 36 | 00 | 04 | 60 |
| | | 498/1 | 00 | 00 | 20 | | | 30 | 00 | 00 | 80 |
| | | 502 | 00 | 09 | 30 | | | 38 | 00 | 07 | 10 |
| | | 504 (Govt. Land) | 00 | 38 | 10 | | | 56 | 00 | 24 | 40 |
| | | 290/2 | 00 | 01 | 50 | | | 52 | 00 | 03 | 20 |
| | | 291 | 00 | 04 | 30 | | | 55 | 00 | 19 | 10 |
| | | 288 | 00 | 11 | 70 | | | 70 (Govt. Land) | 00 | 01 | 50 |

| (1) (2) | (3) | (4) | (5) | (6) | (1) (2) | (3) | (4) | (5) | (6) |
|------------------|-----|-----|-----|-----|-------------------|-------------------|-----|-----|-----|
| 4. Kanwarpura 74 | | 00 | 00 | 90 | 6. Mandi | 848 | 00 | 07 | 10 |
| (Contd.) 73 | | 00 | 09 | 90 | | 954 | 00 | 12 | 30 |
| 75 | | 00 | 09 | 10 | | 953 | 00 | 06 | 10 |
| 76 | | 00 | 03 | 40 | | 956 | 00 | 08 | 20 |
| 96 | | 01 | 15 | 10 | | 949 | 00 | 08 | 00 |
| 5. Ratanpura 155 | | 00 | 17 | 90 | | 966 | 00 | 03 | 10 |
| 98/1 | | 00 | 16 | 10 | | 967 | 00 | 07 | 20 |
| 10 | | 00 | 01 | 20 | | 970/2 | 00 | 10 | 00 |
| 22/1 | | 00 | 14 | 30 | | 970/1 | 00 | 04 | 60 |
| 22/2 | | 00 | 00 | 20 | | 969 | 00 | 05 | 00 |
| 23 | | 00 | 02 | 00 | | 971 (Govt. Land) | 00 | 03 | 10 |
| 25 | | 00 | 03 | 70 | | 942 | 00 | 01 | 20 |
| 26 | | 00 | 03 | 50 | | 977 | 00 | 02 | 70 |
| 27/2 | | 00 | 00 | 20 | | 976 | 00 | 08 | 10 |
| 27/1 | | 00 | 03 | 10 | | 975 | 00 | 04 | 10 |
| 33 | | 00 | 00 | 30 | | 983 | 00 | 13 | 10 |
| 28 | | 00 | 00 | 80 | | 982 | 00 | 00 | 50 |
| 32 | | 00 | 02 | 10 | | 984 | 00 | 04 | 70 |
| 30 | | 00 | 04 | 50 | | 981 | 00 | 05 | 50 |
| 29 | | 00 | 03 | 60 | | 994 | 00 | 03 | 50 |
| 44 | | 00 | 02 | 20 | | 1000 | 00 | 00 | 20 |
| 43 | | 00 | 00 | 70 | | 998 | 00 | 06 | 50 |
| 42 | | 00 | 06 | 70 | | 999 | 00 | 09 | 40 |
| 47 | | 00 | 00 | 60 | | 1009 | 00 | 06 | 10 |
| 48 | | 00 | 06 | 80 | | 1010 | 00 | 09 | 90 |
| 49 | | 00 | 00 | 30 | | 927 (Govt. Land) | 00 | 01 | 00 |
| 51 | | 00 | 10 | 20 | | 896/2 | 00 | 08 | 80 |
| 52 (Govt. Land) | | 00 | 00 | 80 | | 896/1 | 00 | 03 | 30 |
| 53 | | 00 | 00 | 40 | | 1011 (Govt. Land) | 00 | 01 | 00 |
| 58 | | 00 | 04 | 10 | | 1015 | 00 | 06 | 30 |
| 59 | | 00 | 09 | 60 | | 1014 | 00 | 06 | 30 |
| 400 | | 00 | 07 | 10 | | 1013 | 00 | 04 | 80 |
| 401 | | 00 | 02 | 00 | | 1012 | 00 | 14 | 70 |
| | | | | | 7. Nathmalpura 61 | | 00 | 01 | 40 |

[F. No. R-25011/13/2011-OR-I]

B. K. DATTA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 2 मई, 2011

का. आ. 1468.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 97/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-5-2011 को प्राप्त हुआ था।

[सं. एल-23012/26/2001-आई आर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 2nd May, 2011

S.O. 1468.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 97/2002) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of BBMB, and their workman, received by the Central Government on 2-5-2011.

[No. L-23012/26/2001-IR(CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I, CHANDIGARH**

Case No. I.D. 97/2002

Sh. Daman Kumar, C/o Sh. R. K. Singh Parmar,
211-L, Brari, P.O. Partap Nagar, Nangal Dam

... Applicant

Versus

The Chief Engineer (Power Wing) Generation,
BBMB, Nangal Township, Ropar

... Respondents

APPEARANCES:

For the workman : Sh. R. K. Singh Parmar

For the Management : Sh. Som Nath

AWARD

Passed on 29-3-2011

Government of India, Ministry of Labour and
Employment vide Notification No. L-23012/26/2001-IR

(CM-II) dated 6-5-2002 referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the Chief Engineer, Bhakra Dam, BBMB, Nangal Township, Ropar in terminating the services of Sh. Daman Kumar S/o Sh. Parma Nand without paying him any retrenchment compensation is legal and justified? If not, to what relief the workman is entitled to and from which date?”

After receiving reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nutshell is that he worked with respondent-management from 1-7-91 to 31-7-93 with certain intervals. His work and conduct was satisfactory. He worked for more than 240 days in the previous year from the date of his termination. His services were terminated without notice or without payment of one month wages in lieu of notice and without payment of lawful terminal dues. No seniority was maintained by the management. His juniors were retained in service. On the basis of above, the workman has prayed for setting aside the termination order and for consequential order reinstating him into services with all the benefits.

The management appeared and opposed the claim of the workman by filing written statement. It was contended by the management that claim is bad by delay and laches on the part of workman. It is contended that workman has claimed to be terminated from service on 31-7-1993 and the claim was raised in the year 2000 which is delayed by seven years and there is no explanation for this delay on record.

The management has further contended that seniority is maintained by the management vide letter No. 30315-450/PD/468/87/A7 dated 8-7-1988. This order was passed by the management in compliance of the order passed by the Hon'ble Himachal Pradesh High Court, Shimla in Civil Writ Petition No. 27/1988 titled as Ram Pyari and others Vs. BBMB. The above said letter was challenged in Civil Writ Petition No. 274/1990, Kishno Ram and others Vs. BBMB and others. This Civil Writ Petition was dismissed by the Hon'ble High Court and Hon'ble Apex Court of India on 22-11-1990 has declined to intervene in the judgement passed by Hon'ble High Court of Himachal Pradesh. It was furthermore, contended by the management that workman has not completed 240 days in the preceding year from the date of his termination.

Both of the parties were afforded the opportunity of adducing evidence. The workman filed his petition and was cross-examined in detail by learned counsel for the management. Likewise, Sh. Pradeep Singh filed his affidavit on behalf of the management and he was cross-examined by the learned counsel for the workman. Certain documents were filed by both of the parties which were marked Exhibits as per law.

I have heard the parties in person and their learned legal representatives at length.

It is true that workman has claimed to be terminated from service on 31-7-93. He raised the industrial dispute in the year 2000 after seven years from the termination of his services. No explanation in pleadings or affidavit has been given by the workman for this delay. Thereafter, the workman filed photocopies of certain applications to prove that he moved the representations to the management in the year 1993, 1994, 1995 and 1996. He has also filed photocopies of the applications dated 30-12-1993, 28-3-1994, 21-6-1994, 1-1-1995 and 12-6-1996. The workman failed to move any application for summoning the originals of these applications. The management has denied receiving any such applications. There is the force in the contention of the management that no such application has been moved by the workman and was received by the management. The workman has not mentioned a single word in his statement of claim and in affidavit that he moved such applications. The failure of workman to mention in claim and affidavit regarding sending applications corroborates the contention of the management that no such application was moved. Moreover, the way of writing this application and endorsement made on side of the application also corroborates the contention of the management. Accordingly, I am of the view that these applications filed by the workman are not reliable and cannot guide the judicial conscious of this Tribunal while deciding the issue of delay. Result is that there was a delay of seven years without any explanation.

Industrial Disputes Act, does not contain any provisions regarding period of limitation to raise the industrial dispute. It does not mean that workman is at liberty to raise the industrial dispute at any point of time. In this regard, it is the settled law of service jurisprudence that industrial dispute should be raised in a reasonable time and if it is raised after the reasonable time there should be a proper and reasonable explanation for the delay. What should be the reasonable time depend on facts and circumstances of the case? No settled principle can be laid down in this regard. Sometimes the seven years period can be considered as the reasonable period but under normal circumstances the seven years period cannot be considered as the reasonable time to raise the industrial dispute. In my view the parameter to consider the reasonable time for raising the industrial dispute should be the time in which a man of prudent under the similar circumstances should have raised the industrial dispute. The workman as per his contention was terminated from the service on 31-8-1993. He kept mum for seven years. Rather try to justify his action by filing the copies of applications which he had never served to the department. Under such circumstances the delay of seven years cannot be a reasonable period and the petition is bad by delay and latches on the part of the workman.

It is nowhere mentioned by the workman that this delay has been set aside by any court or Tribunal of competent jurisdiction. There is no such material on record that this delay has been condoned. In my view there is no material on record to condone this delay. Accordingly, the industrial dispute was raised with the delay of seven years without any reasonable justification and is not proper to adjudicate further. Accordingly, this industrial dispute is answered. Let Central Government be approached for publication of Award and thereafter file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 2 मई, 2011

का. आ. 1469.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 195/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-5-2011 को प्राप्त हुआ था।

[सं. एल-23012/15/2002-आई आर(सीएम-II)]
डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 2nd May, 2011

S.O. 1469.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 195/2003) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of BBMB, and their workman, received by the Central Government on 2-5-2011.

[No. L-23012/15/2002-IR(CM-II)]
D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I, CHANDIGARH**

Case No. I.D. 195/2003

Sh. Gurman Singh, C/o Sh. R. K. Singh Parmar,
211-L, Brari, P.O. Partap Nagar, Nangal Dam
Distt. Ropar ... Applicant

Versus

The Chief Engineer BBMB, Nangal Township,
Distt. Ropar ... Respondents

APPEARANCES:

For the Workman : Sh. R. K. Singh
 For the Management : Sh. S. K. Goel

AWARD

Passed on 29-3-2011

Government of India, Ministry of Labour and Employment vide Notification No. L-23012/15/2002-IR (CM-II) dated 4-11-2003 referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of BBMB, Nangal in terminating the services of Sh. Gurnam Singh S/o Sh. Milkhi Ram w.e.f. 30-4-88 is legal and justified? If not, to what relief the workman is entitled?”

After receiving reference parties were informed. They appeared and file their respective pleadings. The case of the workman in nutshell is that he was employed on daily wages since July 1982 to 30-4-1988 as unskilled mazdoor in Nangal Dam. His services were terminated illegally without notice or retrenchment compensation on 30-4-1988. The management has given the notional breaks while he was serving for the reasons known to it. He approached the management by registered post AD on 5-7-1995, 16-6-1999 and 30-6-2001 but no heed was given to his request. His juniors were retained in service which is against the provisions of Industrial Disputes Act.

The management appeared and opposed the claim of the workman by filing written statement. It is contended that reference is barred by delay and laches. The management has contended that it is the case of abandonment of service. After 1988 he has never approached the management for any work. Seniority of the daily waged worker was maintained by the management as per the directions given by Hon'ble High Court of Himachal Pradesh in Ram Pyari and Others Vs. BBMB. The seniority of workman has not been violated. He has not completed 240 days of work in the preceding year from the date of his termination. He was provided with the work on need basis when the work was available.

Both of the parties were afforded the opportunity for adducing evidence. Evidence was recorded. Documents were also filed. I have heard the parties at length. I have also perused all the materials on record.

I am unable to understand what the workman was doing from the 30-4-1988 to 5-7-1995. For seven years and two months he kept mum without showing any reasons and on 5-7-1995 he suddenly wrote a letter to the management for providing job. There is not a single word in pleadings and evidence what the workman was doing all these seven years and two months. It is true that there is no time limit prescribed in Industrial Disputes Act but the

court cannot consider it as the time immemorial. Meaning thereby, delay in raising the dispute may not be the fatal if it is reasonably explained. In this case this delay is not reasonably explained. Moreover, as stated earlier, there is not a single word in pleadings and evidence to justify the delay. Accordingly, I am of the view that workman has deliberately and intentionally kept mum for seven years and two months without any reasonable explanation. This fact has strengthen the contention of the management that workman has abandoned his work. Moreover, on perusal of the material on record, it is not established that workman has completed 240 days of work in the preceding year from the date of his termination. Accordingly, workman is not entitled for any relief. This industrial dispute is accordingly answered. Let Central Government be approached for publication of Award and file by consigned to Court room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 2 मई, 2011

का. आ. 1470.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल पी.जी.आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 67/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-5-2011 को प्राप्त हुआ था।

[सं. एल-42012/180/2005-आई आर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 2nd May, 2011

S.O. 1470.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 67/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of PGI, and their workman, which was received by the Central Government on 2-5-2011.

[No. L-42012/180/2005-IR(CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
 PRESIDING OFFICER, CENTRAL GOVT.
 INDUSTRIAL TRIBUNAL-CUM-LABOUR
 COURT-I, CHANDIGARH**

Case No. I.D. 67/2006

Sh. Sahender Singh, S/o Late Sh. Uday Ram,
 C/o BMS, HE-1232, Phase-I, Mohali, Ropar

... Applicant

Versus

The Director, PGI, Sector-12, Chandigarh

... Respondents

APPEARANCES:

For the Workman : Sh. M. R. Dhlman

For the Management : Sh. N. K. Zakhmi

AWARD

Passed on 8-4-2011

Government of India, Ministry of Labour and Employment vide Notification No. L-42012/180/2005-IR (CM-II) dated 28-9-2006 referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of PGI, Chandigarh in denying compassionate appointment to Sh. Sahender Singh, dependant of Late Sh. Uday Ram is legal and justified ? If not, what relief is the applicant entitled ?”

After receiving reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nutshell is that late Sh. Uday Ram was working as baildar since 1978. In the year 1993 his services were regularized as baildar. He expired on 8-12-2001 while on duty. The workman approached the management for his appointment on the compassionate ground but his request was illegally turned down. He is the only member to take care of the entire survivors of the deceased and is still unemployed.

The management appeared and opposed the claim of the workman by filing written statement. It was contended by the management that case of workman was considered by the competent committee appointment as per the rules for providing him the job on compensatory ground but the committee after considering all the facts and circumstances of the case refused to appoint the workman on compensatory ground. It is also contended by the management that along with the case of workman several others (11 number) applications were considered and out of 11, only two persons were considered genuine for appointment on compensatory ground.

Both of the parties were afforded the opportunity for recording evidence. Evidence of the parties was recorded. Relevant documents were also filed. This Tribunal also directed the management to file the proceedings of the committee which considered the case of all the applicants for compensatory appointment.

I have heard the parties and their learned counsels at length. Before moving further, it will be proper to mention that on death of any employee the right to get job by any of the dependant on compensatory ground is not an absolute right. This right is a beneficial one to prevent the heirs/dependants of decreases from starvation. It is not a substantive right of the dependant of deceased. Meaning thereby, it is not a substantive right that appointment shall be made just on moving the application by any heir or

dependant of the deceased. Accordingly, the management has rightly appointed a committee to consider all the applications which were moved for appointment on compensatory ground.

It is not the case of the workman that his case was not considered. His case was considered by the committee but was not even found fit for appointment on compensatory ground. Considering this issue, this Tribunal also summoned entire file containing the proceedings by which all the applications were considered. The minutes of the meeting held on 2-6-2004 are on record. It shows that out of 11 applications only two appointments were recommended to be made namely appointment of Smt. Omvati and the appointment of Sh. Ranjit Kaur. On perusal of the minutes, it is also evidently clear that committee has taken the decision on well reasoned criteria. The well reasoned criteria is reflected from the minutes itself. The case of two persons namely Smt. Ranjit Kaur and Smt. Omvati was different than the case of other nine persons whose applications were not considered for appointment on compensatory ground. Thus, there was no legal or procedural lacking in dismissing the applications of the workman Sh. Sahender Singh for his appointment on compensatory grounds as the dependant of Late Sh. Uday Ram. There is no scope for this Tribunal to interfere in the decision of management. Accordingly, this industrial dispute is answered. Let Central Government be approached for publication of Award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 2 मई, 2011

का. आ. 1471.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्ट्रल एस.ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 77/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-5-2011 को प्राप्त हुआ था।

[सं. एल-22012/335/2003-आई आर(सीएम-II)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 2nd May, 2011

S.O. 1471.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 77/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of Sharda OCM, South Eastern Coalfields Limited, and their workman, which was received by the Central Government on 2-5-2011.

[No. L-22012/335/2003-IR(CM-II)]

D.S.S. SRINIVASARAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****No. CGIT/LC/R/77/2004**

Presiding Officer : Mohd. Shakir Hasan

Shri Ramrishi Mishra,
S/o Shri Baijnath Mishra,
Ex-Explosive Carrier,
Sharda Project,
PO Mediaras, Distt., Shahdol
Shahdol

.... Workman

Versus

The Sub Area Manager,
Sharda OCM,
South Eastern Coalfields Limited,
P.O. Amlai (OPM), Distt. Shahdol,
Shahdol (MP)

.... Management

AWARD

Passed on this 18th day of April 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/335/2003-IR (CM-II) dated 29-6-04 has referred the following dispute for adjudication by this Tribunal :

“Whether the action of the Sub Area Manager, Sharda OCM of SECL in terminating the services of Shri Ramrishi Mishra is legal and justified ? If not, to what relief the workman is entitled ?”

2. The workman did not appear inspite of proper notice. Lastly the then Tribunal proceeded ex parte against the workman on 20-11-2006.

3. The management appeared and filed Written Statement. The case of the management in short is that the workman was working as Explosive Carrier. He was chargesheeted on 16-2-2002 under clause 26.16 for committing misconduct by filing a Criminal Case No. 449/2000 against two Executives and a staff. The case was ended in acquittal on 27-8-01. The workman submitted his reply of the chargesheet but it was found unsatisfactory. The Disciplinary Authority initiated a departmental enquiry. Shri B. M. Tripathi, Dy. Chief Personnel Manager was appointed as Enquiry Officer. Shri K. S. Arya was appointed as Management Representative. The Enquiry Officer issued memo of enquiry on various dates. The same was received by the delinquent workman but did not appear in the departmental proceeding. Lastly the Enquiry Officer proceeded ex parte. The Management Representative examined three witnesses and also filed documentary evidence. The judgment of the criminal court was also filed which is Annexure M/9. After completion of the enquiry,

the Enquiry Officer submitted enquiry report. The Disciplinary Authority again show caused the workman but the workman did not appear. The Disciplinary Authority agreed with findings of the Enquiry Officer and awarded punishment of dismissal from services which is Annexure M/12. It is stated that if the departmental proceeding be vitiated, the management be given opportunity to prove misconduct. On these grounds, it is submitted that the reference be answered in favour of the management.

4. On the basis of reference and pleadings of the management, the following issues are for adjudication :

- (I) Whether the departmental proceeding conducted by the management against the workman is legal and justified ?
- (II) Whether the punishment of dismissal on the workman is legal and justified ?
- (III) To what relief the workman is entitled ?

5. Issue No. I

Since the proceeding is ex parte as such this issue is taken up finally alongwith other issues. The departmental enquiry papers show that the memo of notices were sent to the workman to appear in the departmental proceeding. Annexure M/7 shows that the delinquent workman had personally received the memo of enquiry. This clearly shows that the delinquent workman had full knowledge of the enquiry but even then he did not appear and did not participate in the departmental proceeding. The Enquiry Officer had rightly proceeded ex parte against the workman. It appears that reasonable opportunity was provided to the workman to defend himself. I find and hold that the departmental enquiry conducted against the workman was legal and justified. This issue is accordingly answered.

6. Issue No. II

Since there is no evidence in rebuttal of the evidence adduced against the workman either in departmental proceeding or in the Tribunal. I do not find any reason to interfere in the order of punishment. Thus the order of punishment appears to be legal and justified. This issue is also decided in favour of the management.

7. Issue No. III

On the basis of the discussion made above, I find that the workman is not entitled to any relief. The reference is accordingly answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 3 मई, 2011

का. आ. 1472.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर-पूर्व रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 21/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-4-2011 को प्राप्त हुआ था।

[सं. एल-41012/01/2007-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 3rd May, 2011

S.O. 1472.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 21/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the industrial dispute between the employers in relation to the management of N. E. Railway and their workman, which was received by the Central Government on 25-4-2011.

[No. L-41012/01/2007-IR(B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT:

Dr. MANJU NIGAM, Presiding Officer

I.D. No. 21/2007

Ref. No. L-41012/01/2007-IR(B-I) dated : 23-05-2007

BETWEEN

Shri Jagat Prasad Sonkar
S/o Shri Shiv Nath Sonkar
House No. 6/14/B, Varuna Vihar Colony
Cantt. Varanasi (UP)

AND

The Sr. Divisional Auditor Officer
N. E. Railway
Office of the DRM
Varanasi (UP)

AWARD

1. By order No. L-41012/01/2007-IR(B-I) dated 23-05-2007 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri Jagat Prasad Sonkar S/o Shri Shiv Nath Sonkar, House No. 6/14/B, Varuna Vihar

Colony, Cantt., Varanasi and the Sr. Divisional Audit Officer, N.E. Railway, Office of the DRM, Varanasi (UP) for adjudication.

2. The reference under adjudication is :

"Whether the action of the management of North East Railway, Lahartara, Varanasi in terminating the services of Shri Jagat Prasad Sonkar w.e.f. 29-12-2005 is justified? If not, what relief the applicant is entitled to?"

3. The case of the workman, Jagat Prasad Sonkar, in brief, is that he was appointed, orally, in the Office of Senior Audit Officer, Varanasi for work of Peon in January 2002 and worked as such up to 28-12-2005, continuously for more than 240 days in a calendar year. The workman has submitted that he worked all working days in a month; but was paid not more than 15 days in a month, which amounts to unfair labour practice on the part of the management. He has alleged that the management shown him as casual labour in its documents in spite of the fact that nature of job done by him was of regular nature; and has further alleged that the management 'illegally' terminated his services w.e.f. 29-12-2005 by oral order without any notice or notice pay in lieu thereof or any retrenchment compensation. Accordingly, the workman has prayed that his termination w.e.f. 29-12-2005 be declared illegal and he be reinstated in the service with back wages and continuity in service.

4. The opposite party has disputed the claim of the workman by way of filing its written statement; wherein it has specifically mentioned that the workman, Jagat Prasad used to be engaged for 15 days for short term and casual nature of work as per requirement and he was not engaged when such work was not available; and further, it has submitted that in light of various pronouncements of Hon'ble Apex Court, any appointment made without in accordance with Departmental Rules shall be deemed to be valid; and any engagement contrary to Rules, no matter for how long it continues, shall have no right for regular appointment. The management has also given details of the working days of the workman, which specifies that the workman worked for 171 days in the year 2002, 144 days in 2003, 75 days in 2004 and 165 days in 2005. The opposite party has also submitted that the office of the Senior Divisional Audit Officer carries out audit of the accounts of the North Eastern Railway and is subordinate to the Comptroller General, Government of India and it is not a part and parcel of the Railways, thus, the nature of work done by it is of sovereign nature and accordingly, it is not covered with the definition of Section 2 J of the Industrial Disputes Act, 1947. The management has specially denied that the workman ever worked for 240 days in any calendar year and the provisions of Industrial Disputes Act were applicable on it and accordingly, it has prayed that the claim of the workman be rejected without any relief to him.

5. The workman has filed its rejoinder wherein apart from reiterating the averments made in his statement of claim he has submitted that it is impossible to accept for him that the opposite party is an independent unit under Controller General of India as he was paid salary on approval of Divisional Finance Manager of the railway and also, all the employees employed in the office of Senior Divisional Audit Officer were provided railway pass and stationary by the railway. Further, he has submitted that the work was taken in the office of Senior Divisional Audit Officer, North Eastern Railway, Varanasi and the payments were made by the Divisional Rail Manager, North Eastern Railway, Varanasi.

6. The parties have not filed any documentary proof in support of their respective claim. The workman filed its evidence on 29-7-2010 and the next dated was fixed for cross-examination on 14-10-2009. When the management did not turned for cross-examination of the workman the case was ordered to proceed ex-parte against the management and next date was fixed for arguments on 18-10-2009. Thereafter, several dates were fixed but the parties did not turn up to forward any arguments; however, the authorized representative of the opposite party appeared on 4-3-2010; but since thereafter did not turn up consecutively on 5-5-2010, 16-6-2010, 30-7-2010, 13-10-2010, 25-10-2010, 8-12-2010, 9-2-2011 and 23-3-2011. When none come forward to advance any argument the file was reserved for award.

7. I have gone through entire record available on the file.

8. It is the case of the workman that he has been appointed, orally, in the office of Senior Audit Officer, Varanasi for work of Peon in January 2002 and worked as such up to 28-12-2005, continuously for more than 240 days in a calendar year and he has been paid for not more than 15 days in a month though he worked for all working days; and his services has been terminated illegally by an oral order without giving him any notice, notice or retrenchment compensation; moreover, as per averments of the workman, the work was taken in the office of Senior Divisional Audit Officer, North Eastern Railway, Varanasi and the payments were made by the Divisional Rail Manager, North Eastern Railway, Varanasi. He has neither filed any documentary proof in support of his claim nor has tried to summon the same for the management. He has simply filed his evidence on affidavit wherein he has reiterated the averments made by him the statement of claim. The management has not turned up to cross-examine the workman.

9. Per contra, the opposite party apart from taking plea that it does not comes with the definition of 'industry' as defined in Section 2 J of the Act has submitted that the services of the workman were availed as and when required, for the 15 days in a month for carrying out jobs of casual

nature. However, the management did not enter into witness box to support its stand or to rebut the submissions made by the workman in the rejoinder that the work was taken from him in the office of Senior Divisional Audit Officer, North Eastern Railway, Varanasi and the payments were made by the Divisional Rail Manager, North Eastern Railway, Varanasi; and accordingly, the opposite party may be treated an 'industry' as specified in Section 2 J of the Act.

10. It is well settled that if a party challenges the legality of order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the court must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the termination order was illegal. It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim has been denied by the management; therefore, it was for the workman to lead evidence to show that he had in fact worked up to 240 days in the year preceding his alleged termination. In (2002) 3 SCC 25 Range Forest Officer vs S. T. Hadimani Hon'ble Apex Court has observed as under :

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."

11. Analyzing its earlier decisions on the aforesaid point Hon'ble Apex Court has observed in 2006 (108) FLR R.M. Yellatti and Asstt. Executive Engineer as follow :

"It is clear that the provisions of the evidence Act in terms do not apply to the proceedings under Section 10 of the Industrial Disputes Act. However, applying general principles and on reading the aforesaid judgments we find that this Court has repeatedly taken the view that the burden of proof is on the claimant to show that he had worked 240 days in a given year. This burden is discharged only upon the workman stepping in the witness box. This burden is discharged upon the workman adducing cogent evidence, both oral and documentary. In cases of termination of services of daily wages earner, there will be no letter of appointment or termination. There will also be no receipt or proof of payment. Thus, in most cases, the workman (claimant) can only call upon the employer to produce before the Court the nominal muster roll for the given period, the letter of

appointment or termination, if any, the wage register, the attendance register etc. Drawing of adverse inference ultimately would depend thereafter on facts of each case. The above decisions however make it clear that mere affidavits or self serving statements made by the claimant/workman will no suffice in the matter of discharge of the burden placed by law on the workman to prove that he had worked for 240 days in a given year. The above judgments further lay down that mere non production of muster rolls per se without any plea of suppression by the claimant workman will not be the ground for the tribunal to draw an adverse inference against the management.”

12. In the present case the workman has stated that he has worked continuously for 240 days, but has not produced any document either photocopy or original in support of his oral evidence. Merely pleadings are no substitute for proof. Initial burden of establishing the fact of continuous work for 240 days in a year was on the workman but he has failed to discharge the above burden. There is no reliable material for recording findings that the workman had worked more than 240 days in the preceding year from the date of his alleged termination and the alleged unjust or illegal order of termination was passed by the management.

13. Accordingly, the reference is adjudicated against the workman Jagat Prasad Sonkar; and I come to the conclusion that he is not entitled to any relief.

14. Award as above.

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 3 मई, 2011

का. आ. 1473.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केथोलीक सायरन बैंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मुम्बई के पंचाट (संदर्भ संख्या 29/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-2011 को प्राप्त हुआ था।

[सं. एल-12012/76/2005-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 3rd May, 2011

S.O. 1473.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Mumbai as shown in the Annexure in the industrial dispute between the employers in relation to the management of The Catholic Syrian Bank Ltd. and their

workman, which was received by the Central Government on 29-4-2011.

[No. L-12012/76/2005-IR(B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT MUMBAI

PRESENT:

Justice G. S. Sarraf, Presiding Officer

Reference No. CGIT-29 OF 2005

Employers in relation to the management of
The Catholic Syrian Bank Ltd.

And

Their Workman

APPEARANCES:

For the Management : No appearance

For the Workman : No appearance

State : Maharashtra

Mumbai, the 15th April, 2011

AWARD

This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour New Delhi Order No. L-12012/76/2005-IR (B-I) dated 22-11-2005. The terms of reference given in the schedule is as follows:

“Whether the action of the management of Catholic Syrian Bank Limited in awarding punishment of ‘lowering of two stages in the existing scale of pay for a period of two years’ on Shri K. G. Subhash, Clerk-cum-cashier vide order dated 24-6-2004 is justified, proper and proportionate to the alleged misconduct? If not, what relief the workman is entitled to?”

2. Both the parties are absent. The notices were issued to the parties and service has been effected by registered post. Since the parties have not turned up despite service of notices to contest the reference, the same is liable to be disposed of for non-prosecution.

3. Reference is accordingly disposed of for non-prosecution.

Justice G. S. SARRAF, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1474.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन टी पी सी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 50, 51, 55, 58 तथा 59/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-42012/55, 56, 64, 61, 59/2010-आई आर(डी यू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1474.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. Nos. 50, 51, 55, 58 and 59/2010) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of NPTC and their workmen, which was received by the Central Government on 4-5-2011.

[No. L-42012/55, 56, 64, 61, 59/2010-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH

PRESENT:

SRIA. K. RASTOGI, Presiding Officer

Case Nos. I.D. 50, 51, 55, 58 and 59/2010
Registered on 30-8-2010

I.D. 50/2010

1. Sh. Sanjay Kumar S/o Sh. Sunder Ram, Village Chhatter PO Dhawal, Tehsil-Sundernagar (HP).

I.D. 51/2010

2. Sh. Chuni Lal S/o Shri Sita Ram, Village Jukhari, PO Galot, Tehsil Nalagarh, Solan (HP).

I.D. 55/2010

3. Sh. Manoj Kumar S/o Shri Fuen Ram, Vill. and P.O. Slapper, Tehsil-Sundernagar, Mandi (HP).

I.D. 58/2010

4. Sh. Anil Kumar S/o Shri Rikhi Ram, VPO Kasol, Tehsil and District Bilaspur (HP).

I.D. 59/2010

5. Sh. Batan Singh S/o Late Sukh Ram, VPO Sainu, Tehsil Sadar, Distt. Bilaspur (HP). Applicants

Versus

1. The General Manager, Kol Dam Hydro Electric Power Project, NTPC, VPO Barmana, Bilaspur.
2. The Managing Director, M/s. AKS Engineers and Contractors, Kol Dam Hydro Electric Power Project, Sanjay Sadan, Chhota Shimla-171002.
3. The Project Manager, Italian Thai Development Co. Ltd., Kol Dam Hydro Electric Power Project, Village Kayan, PO Slapper, Teh. Sundernagar, Mandi (HP).

Respondents

APPEARANCES:

- For the Workmen : None for workmen.
- For the Management : Mr. V. P. Singh, Advocate
for respondent No. 1.
Sh. Hem Raj Sharma,
Sr. Manager (HR and IR) AR
for respondent No. 3.

AW/ RD

Passed on 20th April, 2011

Central Government vide Notification:

No. L-42012/55/2010/IR(DU)) Dated 10-8-2010

No. L-42012/56/2010/IR(DU)) Dated 10-8-2010

No. L-42012/64/2010/IR(DU)) Dated 10-8-2010

No. L-42012/61/2010/IR(DU)) Dated 10-8-2010

No. L-42012/59/2010/IR(DU)) Dated 10-8-2010

by exercising its powers under Section 10, Sub Section (1), Clause (d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the scheduled industrial disputes for adjudication to this Tribunal. The references were registered as No. 50/2010, 51/2010, 55/2010, 58/2010 and 59/2010 respectively.

In all the above mentioned references a common question is involved i.e.

“Whether the action of the management of M/s. A.K.S. Engineers and Contractors, a contractor engaged by NTPC, Kol Dam, Hydro Electric Power Project, Bilaspur (HP) in terminating the services of their workmen S/Sh. Sanjay Kumar of ID No. 50 of 2010, Chuni Lal of ID No. 51 of 2010, Manoj Kumar of ID No. 55 of 2010, Anil Kumar of ID No. 58 of 2010 and Batan Singh of ID No. 59 of 2010 is legal and justified. If not what relief the workmen are entitled to ?

After receiving the references, notices were issued to the parties to appear. Claimants and respondent No. 2 did not appear despite notices sent by registered post to them. Their notices were not received back undelivered. Hence service was presumed on them. Case was ordered to proceed ex-parte against respondent No. 2. But as the concerned workmen neither appeared nor filed their Claim Statements, hence the references are answered against the workmen concerned. A copy of the award be placed on the file of I.D. 50/2010, 51/2010, 55/2010, 58/2010 and 59/2010 each. Let two copies of award after due compliance be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1475.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम. ई. एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 37/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/17/2006-आई. आर.(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1475.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 37/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/17/2006-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRAKUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 37/2006

Shri Ajit Kumar son of Shri Om Parkash.
C/o. Shri Dinesh Kumar and Chaman Lal,
authorised representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the management : Shri Indel Prashad, G. E. Utility,
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/17/2006-IR(DU), dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of MES, Bhatinda in terminating the services of Shri Ajit Kumar son of Shri Om Parkash. Ex-Operation and Maintenance of A.C. Plants, Store/Godown. EMI. Workshop, Core Headquarters w.e.f. 18-12-2004 is just and legal ? If not, what relief the workman is entitled to ?"

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1476.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम. ई. एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 44/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/18/2006-आई. आर.(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1476.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 44/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/18/2006-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 44/2006

Shri Shaminder Singh son of Mithu Singh,
C/o. Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the management : Shri Indel Prashad, G. E. Utility,
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/18/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES, Bhatinda in terminating the services of Shri Shaminder Singh son of Mithu Singh. Ex-Operation and Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 21-9-2004 is just and legal? If not, what relief the workman is entitled to?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh. G. K. SHARMA, Presiding Officer
15-4-2011

नई दिल्ली, 4 मई, 2011

का. आ. 1477.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के

प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 38/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/19/2006-आई आर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1477.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 38/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/19/2006-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 38/2006

Shri Sanjay Kumar
C/o. Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt. Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the Management : Shri Indel Prashad G.E. Utility
Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide Notification No. L-14012/19/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Sanjay

Kumar, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 18-12-2004 is just and legal. If not, what relief the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1478.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 46/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/3/2006-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1478.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/3/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH

Case No. ID 46/2006

Shri Paramjit Singh S/o. Kartar Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt. Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the Management : Shri Indel Prashad G.E. Utility
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide Notification No. L-14012/3/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Paramjit Singh son of Kartar Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 21-9-2004 is just and legal. If not, what relief is the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1479.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 32/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/4/2006-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1479.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No: 32/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/4/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 32/2006

Shri Jaganandan Singh S/o. Shri Mukhtiar Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh ... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt. Bhatinda ... Respondent

APPEARANCES:

For the Workman : None
For the Management : Shri Indel Prashad, G.E. Utility
Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide Notification No. L-14012/4/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Jaganandan Singh son of Shri Mukhtiar Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 18-12-2004 is just and legal. If not, to what relief is the concerned workman is entitled to?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearing. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present

reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1480.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 43/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/5/2006-आई. आर.(डी.यू.)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1480.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 43/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/5/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 43/2006

Shri Sahib Singh son of Baldev Singh,
C/o. Shri Dinesh Kumar and Chaman Lal,
authorised representative of the workman,
House No. 431, Sector-15A,
Chandigarh ... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt. Bhatinda ... Respondent

APPEARANCES:

For the Workman : None
For the management : Shri Indel Prashad, G.E. Utility
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/5/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Sahib Singh son of Baldev Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, what relief is the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1481.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 42/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/6/2006-आई. आर.(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1481.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 42/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/6/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 42/2006

Shri Manjit Singh son of Gurmail Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
authorised representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the management : Shri Indel Prashad, G.E. Utility
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/6/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Manjit Singh son of Gurmail Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, what relief is the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1482.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 41/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/7/2006-आई आर (डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1482.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 41/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/7/2006-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 41/2006

Shri Darshan Singh son of Balbir Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the management : Shri Indel Prashad, G.E. Utility
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/7/2006-IR(DU) dated 16th of June 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Darshan Singh son of Balbir Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, what relief the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.

G.K. SHARMA, Presiding Officer

15-4-2011

नई दिल्ली, 4 मई, 2011

का. आ. 1483.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 40/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/8/2006-आई आर (डीयू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1483.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/8/2006-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 40/2006

Shri Beant Singh S/o Banta Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt. Bhatinda

... Respondent

APPEARANCES:

For the Workman : None
 For the Management : Shri Indel Prashad G.E. Utility
 Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide Notification No. L-14012/8/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Beant Singh son of Banta Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, what relief is the concerned workman is entitled ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh. G.K. SHARMA, Presiding Officer
 15-4-2011

नई दिल्ली, 4 मई, 2011

का. आ. 1484.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 48/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/9/2006-आई आर (डीयू)]
 जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1484.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 48/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/9/2006-IR(DU)]
 JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
 PRESIDING OFFICER, CENTRAL GOVT.
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
 CHANDIGARH**

Case No. ID 48/2006

Shri Harjit Singh S/o Samundar Singh,
 C/o Shri Dinesh Kumar and Chaman Lal,
 Authorised Representative of the workman,
 House No. 431, Sector-15A,
 Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
 Bhatinda Military Station,
 Bhatinda Cantt. Bhatinda

... Respondent

APPEARANCES:

For the Workman : None
 For the Management : Shri Indel Prashad, G.E. Utility
 Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide Notification No. L-14012/9/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Harjit Singh son of Samundar Singh, Ex-operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 7-4-2004 is just and legal. If not, what relief is the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh. G.K. SHARMA, Presiding Officer
 15-4-2011

नई दिल्ली, 4 मई, 2011

का. आ. 1485.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 36/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/10/2006-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1485.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 36/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/10/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 36/2006

Shri Kiran Pal S/o Shri Labh Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the Management : Shri Indel Prashad G.E. Utility,
Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/10/2006-IR(DU) dated 16th of June 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Kiran Pal son of Shri Labh Singh, Ex-Operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, to what relief is the workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

क्र. आ. 1486.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 47/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/11/2006-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1486.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 45/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/11/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 45/2006

Shri Nirmal Singh son of Kehar Singh,
C/o Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None
 For the management : Shri Indel Prashad G.E. Utility,
 Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/11/2006-IR(DU) dated 16th of June 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Nirmal Singh son of Kehar Singh, Ex-Operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 21-9-2004 is just and legal. If not, to what relief is the workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
 15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1487.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 47/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/12/2006-आई आर (डीयू)]
 जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1487.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 47/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/12/2006-IR(DU)]
 JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
 PRESIDING OFFICER, CENTRAL GOVT.
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
 CHANDIGARH**

Case No. ID 47/2006

Shri Gian Singh son of Harnam Singh,
 C/o. Shri Dinesh Kumar and Chaman Lal,
 Authorised Representative of the workman,
 House No. 431, Sector-15A,
 Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
 Bhatinda Military Station,
 Bhatinda Cantt, Bhatinda

... Respondent

APPEARANCES:

For the Workman : None
 For the management : Shri Indel Prashad, G.E. Utility,
 Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/12/2006-IR(DU) dated 16th of June 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Gian Singh son of Shri Harnam Singh, Ex-Operation & Maintenance of A.C. Plants, Store/Godown. EME Workshop, Core Headquarters w.e.f. 21-9-2004 is just and legal. If not, to what relief is the concerned workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
 15-4-2011

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1488.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 33/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/13/2006-आई आर (डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1488.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 33/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/13/2006-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 33/2006

Shri Baljit Singh son of Balbir Singh,
C/o. Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None

For the management : Shri Indel Prashad G.E. Utility
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/13/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of MES Bhatinda in terminating the services of Shri Baljit Singh son of Balbir Singh, Ex-Operation & Maintenance of A.C. Plants, Store/Godown, EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, to what relief the workman is entitled to?"

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1489.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 34/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/14/2006-आई आर (डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1489.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 34/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/14/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 34/2006

Shri Kewal Krishan son of Shri Bant Ram,
C/o. Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None
For the management : Shri Indel Prashad, G.E. Utility,
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/14/2006-IR(DU) dated 16th of June 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Kewal Krishan son of Shri Bant Ram, Ex-Operation & Maintenance of A.C. Plants, Store/Godown, EME Workshop, Core headquarters w.e.f. 18-12-2004 is just and legal. If not, to what relief is the concerned workman is entitled to?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1490.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधांत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में सिद्धिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 35/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/15/2006-आई. आर.(डी.यू.)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1490.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2006) of the Central Government Industrial Tribunal-cum-

Labour Court No. I, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/15/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH

Case No. ID 35/2006

Shri Balwinder Singh S/o. Shri Kundan Singh,
C/o. Shri Dinesh Kumar and Chaman Lal,
Authorised Representative of the workman,
House No. 431, Sector-15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt., Bhatinda

... Respondent

APPEARANCES:

For the Workman : None
For the Management : Shri Indel Prashad, G.E. Utility,
Bhatinda.

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/15/2006-IR(DU) dated 16th of June 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Nirmal Singh son of Kundan Singh, Ex-Operation & Maintenance of A.C. Plants, Store/Godown, EME Workshop, Core Headquarters w.e.f. 18-12-2004 is just and legal. If not, to what relief is the workman entitled to?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.
15-4-2011

G.K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

AWARD

Passed on April 18, 2011

का. आ. 1491.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयर फोर्स स्टेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 274/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/5/97-आई. आर.(डी.यू.)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1491.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 274/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Air Force Station and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/5/97-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH**

Present : Sri A.K. Rastogi,
Presiding Officer

Case No. ID 274/2005
Registered on 21-10-1997

Sh. Attar Singh Ahuja,
Resident of Near Narang Clinic,
M.E.S. Power House,
Rattanwal Road, Halwara,
Ludhiana-141 106.
(Since deceased) through LRs. :

1. Smt. Geeta wife aged 49 years
2. Ms. Pooja daughter aged 22 years
3. Deepak son aged 20 years
4. Ms. Arati daughter aged 17 years. ... Applicants.

Versus

The Chief Administrative Officer,
Air Force Station, Halwara (A.D.),
Ludhiana-141106. ... Respondent

APPEARANCES:

For the workman : Sh. R.P.S Rana, Advocate
For the management : Sh. K.K. Thakur, Advocate

Central Govt. vide notification No. L-14012/5/97-IR(DU) dated 27-8-1997, by exercising its powers under Section 10 Sub-section (1) Clause (d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following industrial dispute for adjudication to this Tribunal :

“Whether the action of the management of the Air Force Station, Halwara in terminating the services of Sh. Attar Singh Ahuja w.e.f. 11-1-96 is legal and justified (sic) ? If not, to what relief the concerned workman is entitled to and from what date ?

Claim Statement had been filed by the concerned claimant but during the pendency of the reference he died and vide order dated 14-09-2005 his wife, his son and two daughters were substituted in his place.

The deceased claimant had joined the Air Force Canteen Halwara as Accountant in the year 1982. He was promoted, first to the post of Assistant Manager and then w.e.f. 01-02-1990 to the post of Canteen Manager in the Pay Scale of Rs. 1500-2300. His services were terminated by the Chief Administrative Officer, Air Force Town, Halwara on 22-1-1996 without complying with the provisions of Section 25F of the Act. At the time of his termination he was drawing Rs. 4580/- per month as salary.

The workman raised an industrial dispute stating that he never performed any managerial, administrative or supervisory duties and his main duty was to receive and sell the goods and to receive and deposit the cash with the Officer-In-Charge. He did typing and other clerical duties and he used to maintain, Bulk Store Book, Cash Book and Ledger. His termination is illegal, arbitrary, mala fide, unfair labour practice and victimization. Juniors were retained while terminating his services and other workmen with the same category were employed after his termination without any prior notice to him. He thus, alleged the violation of Section 25G and 25H of the Act also. He claimed his reinstatement, continuity of service and back wages.

The claim was contested mainly on the grounds that the canteen in question is an extension of C.S.D. (i) and provisions of the Act do not apply to it; claimant was performing the managerial, administrative and supervisory duties and was drawing Rs. 4580/- p.m. salary at the time of his termination and therefore he was not a workman and the termination of his service is not a “retrenchment” within the meaning of the Act; his services were terminated in terms of his appointment letter and under rule 23 of “The Rules regulating the Terms and Conditions of Services of Civil Employees of Air Force Canteen.....Paid out of Non-Public Fund.” His termination is not illegal, arbitrary and mala fide, unfair labour practice or victimization; he has been paid three months pay in lieu of notice according

to rules and the claim has no merits and deserves to be dismissed.

The claimant filed a replication to reiterate his case stated in the Claim Statement and alleged that the Act is applicable in this case.

From the pleadings of the parties following issues arise for consideration :

1. Whether the provisions of the Act are not applicable to the employees of the Air Force Canteens ? If yes, its effect.
2. Whether the deceased claimant was a workman within the meaning of the Act? If he was not, its effects.
3. Whether the termination of the services of the deceased claimant amounts to retrenchment? If yes, whether the services were terminated in violation of the provisions of the Act ?
4. To what relief LRs of the deceased claimant's are entitled ?

In support of his case, the claimant tendered his affidavit while on behalf of management the affidavit of H.C. Singhal, Officer-In-charge Canteen Air Force Station Halwara MW-1 and Ashok Vajpai, Officer In-charge Unit CSD Canteen, Air Force, Halwara MW-AB were filed. The parties filed certain documents also.

I have heard the learned counsel for the parties and perused the evidence on record and the written arguments of the management. My findings on various issues are as follows :

Issue No. 1

In the detailed written statement filed on 13-09-2006 the management, relying on the judgment of the Hon'ble Supreme Court in Radu Kakde Versus Union of India and others AIR 1996 SC 191 has pleaded that Tribunal has no jurisdiction to adjudicate the matter as the provisions of the Act are not applicable to the employees of the Air Force Canteen. Though the learned counsel for the management has not pressed this plea in his arguments but since the written statement contains the plea, hence, it would be proper to consider it.

The judgment of the Hon'ble Apex Court in Radu Kakde's case (supra) is not on Industrial Disputes Act but it is on Payment of Bonus Act. The word 'industry' has not been defined in the Payment of Bonus Act and the Hon'ble Supreme Court has nowhere laid down the Air Force or Defence Canteen is not an industry. In the Payment of Bonus Act under Section 32 certain employees have been exempted from the application of the said Act and Radu Kakde's case (supra) relates to the provisions of Section 32 of the said Act. Hence, on the basis of law laid down in Radu Kakde's case (supra) it cannot be said that the

Industrial Disputes Act is not applicable to the employees of Air Force Canteens. The learned counsel for management rightly did not press this issue in his written arguments. Issue No. 1 is decided against the management.

Issue No. 2

The management had argued that under Section 2(S) of the Act a person employed in any managerial or administrative capacity or employed in supervisory capacity drawing more than Rs. 1600/- per month as salary is not included in the definition of workman. Claimant was performing the managerial, administrative and supervisory duties and drawing Rs. 4580/- p.m. at the time of his termination, hence he was not a workman.

Against it, the learned counsel for the claimant argued that the claimant was a workman as his main duty was to receive and sell the goods and to receive and deposit the cash with the Officer In-charge. He did typing and other clerical duties and used to maintain various registers and ledgers.

It is important to note that along with appointment letter dated 31-01-1990 Ex. R-4 of the deceased claimant, the management has filed a charter of responsibilities and duties of a Canteen Manager. A perusal of this charter shows that a canteen manager was required to ensure that the employees are fully conversant with the duties entrusted to them and to effectively supervise all activities including check of daily sale summary and Stock book; to ensure proper stock taking at the end of each month by an independent BCC; to ensure that minimum cash is left in the canteen; to ensure the safety of cash; to ensure that books of Accounts are maintained in accordance with the instructions, and trial balance is prepared by the Accountant at the end of every month; to ensure that utmost economy is used in the purchase and use of stationery and other items; to maintain records of behaviour of all the employees and to pay surprise visit to the extension counter to know the violation of laid down orders and any other requirements.

A Canteen Manager was further to prepare indent after due assessment of stock position and sales trend. He was responsible for the receipt, safe custody as well as of proper accounting of stock of the canteen and for the deficiencies in the canteen stock. He was to receive money paid in settlement of bills and issue proper receipt thereof. He was to collect cash sales money from the salesmen, check the correctness of the cash, sale book and initial in the appropriate column therein. He was to make cash collection from salesmen after morning sales timing and deposit in the bank before close of their transactions. He was to produce to the Audit Board or Sale Auditors completed books of accounts together with its vouchers and documents. He was to report immediately for instructions to the CIS canteen any loss or irregularity coming to his notice or any difficulty he may experience in

maintaining the canteen. He was to maintain a register in recording the demand for items.

The claimant in his cross-examination has stated that his duties were typing of the official letters, correspondence, to take bulk and receive the goods for the canteen and to receive cash.

H.C. Singhal, MW-1 in his cross-examination has stated that the claimant could not appoint or dismiss any employee of the canteen but he could advise if anybody commits any mistake. The Manager can warn and also advise for punishment. The Manager is not the authority to sanction any kind of leave but he can recommend. The Manager also receives the cash from the salesmen and deposits himself.

The designation of the claimant was that of a Manager. It is true that mere designation of which a person is designated is not conclusive of his status as an officer; Industrial adjudication has to look to the nature of the duties assigned to the person concerned. From the evidence on record it is clear that the claimant had no authority to appoint or dismiss any employee or to grant any leave to them. But, then to confer the status of a manager it is not necessary that the persons concerned should be conferred with the powers of appointing and dismissing an employee or to grant them leave. If an individual has employees subordinate to him, whose work he is required to overlook, if he has to take decision and has also the responsibility for ensuring that the matters entrusted to his charge are efficiently conducted and an ascertainable area or section of work is assigned to him; inference of a position of management would be justifiable. From the charter of responsibilities and duties of a canteen manager, it is clear that the claimant has to oversee the work of other employees. He was entrusted to ensure the doing of various jobs which clearly shows that he had certain persons subordinate to him. He was to assess the stock position and sales trend and then to prepare indents. He was also responsible for ensuring that the matters entrusted to his charge are efficiently conducted and he had got an ascertained area of work. Even, if he was required to do certain clerical duties-like preparing indents or maintaining a register for recording the demand for items that will not change his status. These jobs were purely incidental to his main work. I am of the view and hold accordingly that the status of claimant was that of a Manager and not that of a Workman.

As per definition of "industrial dispute" contained in Section 2(K) an industrial disputes means any dispute or difference between the employer and employers or between employers and workmen or between workmen or workman. Since the claimant was not a workman, hence, there is no industrial dispute adjudicate-able under Industrial Disputes Act. The reference is liable to fail. Issue No. 2 is decided accordingly.

Issue No. 3

"Retrenchment" under Section 2(oo) of the Act is the termination by the employer of the service of a workman. Since the claimant was not a workman, hence the question of retrenchment does not arise. The compliance of the provisions of the Act was not required in the case. Issue No. 3 is decided against claimant or his L. Rs.

Issue No. 4

From the above going discussion it is clear that since the deceased claimant was holding a position of manager and he was not a workman hence, the claimant and after his death his LRs are not entitled to any relief from this Tribunal. Reference is answered against the deceased claimant and his L.R.s. Let two copies of award be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1492.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बोर्ड ऑफ़ सेकेण्डरी एजुकेशन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 3/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-42012/115/97-आई आर(डीयू)।
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1492.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 3/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Board of Secondary Education and their workman, which was received by the Central Government on 4-5-2011.

[No. L-42012/115/97-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 27th April, 2011

Present : Sri A.N. Janardanan, Presiding Officer

Industrial Dispute No. 3/2007

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Central Board of Secondary Education and their Workman]

BETWEEN

Sri K. Soundararajan : 1st Party/Petitioner

Versus

The Joint Secretary : 2nd Party/Respondent
Central Board of
Secondary Education,
Anna Nagar, Chennai-40

APPEARANCES:

For the 1st Party/
Petitioner : M/s. Balan Haridas & Kamatchi
Sundaresan

For the 2nd Party/
Management : Sri G. Nagarajan

AWARD

The Central Govt. Ministry of Labour vide its Order No. L-42012/115/97(IR(DU)) dated 08-01-2007 referred the following Industrial Dispute to this Tribunal for adjudication :

The Schedule mentioned in that order is :

“Whether the action of the management of the Central Board of Secondary Education, Chennai, in terminating the services of their workman Shri K. Soundararajan w.e.f. 30-01-1995 is legal and justified? If not, what relief the workman is entitled to?”

2. Taking the reference on file as ID 3/2007, notices were issued to both sides who entered appearance through counsel and filed their Claim and Counter Statement as the case may be.

3. The contentions raised by the petitioner in the Claim Statement are as follows :

The petitioner joined as Peon in the Office of the Joint Secretary, Central Board of Secondary Education, Nungambakkam, Chennai on 05-08-1991, where after he was transferred to the Respondent's office in 1994 on a monthly salary of Rs. 1,333. He has been working continuously and completed 240 days in a year. On 31-01-1995, his service was terminated without any valid reason and without notice of retrenchment or compensation violating principles of natural justice. The Industrial Dispute raised by him on 01-12-1995 before the Asstt. Labour Commissioner (C), Chennai was not accepted on file. Another one filed on 18-09-1996 was referred on the failure of conciliation. The Ministry of Labour having not referred the dispute, the petitioner moved before

the High Court of Madras in WP 3870/2000 which by its letter dated 08-01-2007 referred the dispute to this Tribunal. The termination of his service is in violation of Section-25F of the ID Act. It is prayed that he be directed to be reinstated into service with continuity of service and other consequential benefits.

4. In the Counter Statement filed by the Respondent it is stated as follows :

The claim is not maintainable in law or on facts. The ID Act provisions are not applicable to CBSE, it being an educational institution. The petitioner is not a workman. As the petitioner himself admits in the Claim Statement, he was a casual labourer only. It is denied that he was paid salary of Rs. 1,333/- per month and had been working continuously and completed 240 days in a year. He was employed only on daily wage basis when exigency arose. The period he worked are as follows :

| Period | | Total Number of days |
|------------|------------|-------------------------|
| From | To | |
| 05-08-1991 | 30-12-1991 | 148 |
| 01-01-1992 | 30-06-1992 | 182 |
| 16-08-1992 | 30-11-1992 | 107 |
| 01-01-1993 | 30-03-1993 | 90 |
| 01-05-1993 | 30-06-1993 | 61 |
| 01-08-1993 | 30-12-1993 | 153 |
| 01-01-1994 | 30-01-1994 | 31 |
| 01-03-1994 | 15-04-1994 | 47 |
| 01-05-1994 | 30-06-1994 | 61 |

There is no question of having to assign any reason or paying any compensation when his service was terminated. The High Court and Lok Adalat without going into the merits of the case directed the reference. It is prayed that the claim may be dismissed.

5. The points for consideration are :

- Whether the action of terminating the services of the workman is legal and justified?
- To what relief the workman is entitled?

6. In this ID an ex-parte award had been passed on 15-04-2009 after examining WW1 and marking Ex. W1 to Ex. W10 in which the reference was answered in favour of the petitioner in the absence of the Respondent to proceed with the enquiry for a long period after having filed the Counter Statement. Afterwards Respondent appeared again and filed a petition to set aside the ex-parte award which was granted and the ID was restored to file after

setting aside the ex-parte award. Thereafter the matter was put on trial. In continuation of the enquiry WW1 was further examined in chief and Ex. W11 was marked. Thereafter he was cross-examined at the instance of the Respondent. On the Respondent's side MW1 was examined and Ex. M1 to Ex. M6 were marked. After hearing both sides and on a consideration of the evidence the revised award is passed.

Points (i) & (ii)

7. Heard both sides. Perused the evidence, documents and records. It is argued on behalf of the petitioner that ID Act is applicable since the Respondent could be held as an Industry. Petitioner has worked for more than 240 days in a calendar year. It is not a charity institution. There is violation of Section-25F of the ID Act. His termination is without compliance of Section-25F of the ID Act. It is proved from the candid admission of MW 1 that petitioner has worked for more than 240 days continuously. He is entitled to be reinstated into service though his question of regularization is a different matter. Under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status Act), 1981 also petitioner is entitled to be deemed permanent, he having completed 480 days continuous duty during the period of two calendar years. Petitioner has not been a seasonal employee.

8. Per contra it is argued that petitioner being only a casual worker as admitted he is not entitled to any benevolent provisions of the ID Act. The ID Act is not applicable to the Respondent. It is not an industry. Petitioner has been posted only on seasonal engagement. When that season is over his engagement ceases. His daily wages have been paid monthly for convenience. He is not to be treated as permanent. He was appointed only as casual as is evident from Ex. W1 and Ex. W2. Ex. W11 - Attendance Register also shows that he was only a casual employee. He was never subjected to a transfer. The only shifting of the office from a rented building to own building does not make a transfer of the employee. He was engaged from time to time and every engagement was fresh.

9. On behalf of the petitioner reliance was placed on the decision of the High Court of Madras in Hindustan Petroleum Corporation Ltd., Mumbai and another Vs. Presiding Officer, CGIT-cum-LC, Chennai and another etc. (2008-4LLN-254) wherein it is held as follows: "once there is a valid State enactment providing for relief to such of those workmen deemed permanency to those who had completed 480 days of service within a period of two calendar years then, such workmen getting permanent status cannot be questioned by any Management. Such conferment of permanent status to the workmen cannot be labelled as violation of Arts. 14 and 16 of the Constitution. The effect of a local enactment conferring permanent status to workmen was never considered by any Court so far"

10. In the decision of the Apex Court in Bangalore Water Supply and Sewerage Board Vs. A. Rajappa and

Others, etc. (1978-2-SCC-213) wherein Supreme Court has held that "we have hardly any hesitation in regarding education as an industry".

11. The decisions of the Supreme Court relied on behalf of the Respondent are the case of Madhyamik Shiksha Parishad, UP Vs. Anil Kumar Mishra and others, etc. (AIR-1994-SC-1638), Karnataka Handloom Development Corporation Ltd. Vs. Shri Mahadeva Laxman Raval (2006-13-SCC-15) and Tamil Nadu Civil Supplies Corporation workers Union Vs. Tamil Nadu Civil Supplies Corporation Ltd. (1997-III-CTC-535) of the High Court of Madras. They are not applicable to the facts of the case since they deal with only regularization of employees. Here the case on hand is one challenging the termination for violation of Section-25F of the ID Act. It is not shown that the engagement of petitioner is one to be characterized as a seasonal engagement. The contention canvassed is without a pleading to that score. It is not a contract appointment also. The petitioner is proved to have worked continuously for more than 240 days in a calendar year. The Respondent is capable of being treated as Industry at least in relation to his engagement as a menial-workman. The ID Act is applicable to the workman in the facts of the present case. Therefore, his termination amounts to retrenchment and is violative of Section-25F of the ID Act. The termination therefore is set aside. He is entitled to be reinstated into service forthwith with continuity of service and all attendant benefits but not with back wages, until terminated in accordance with law, if not to be regularized in the meantime.

12. The reference is accordingly answered in favour of the petitioner.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 27th April, 2011).

A.N. JANARDANAN, Presiding Officer

Witnesses Examined :

For the 1st Party/ : WW1, Sri K. Soundarajan
Petitioner

For the 2nd Party/ : MW1, Sri R. Venkatesh
Management

Documents marked :

On the petitioner's side :

| Ex. No. | Date | Description |
|---------|------------|--------------------|
| Ex. W1 | 30-09-1992 | Appointment Order. |
| Ex. W2 | 01-10-1992 | Appointment Order. |
| Ex. W3 | 30-10-1992 | Appointment Order. |
| Ex. W4 | 30-11-1992 | Appointment Order. |

| Ex. No. | Date | Description |
|---------|------------|--|
| Ex. W5 | 12-09-1996 | Lodge of Complaint before Regional Labour Commissioner (C) against termination. |
| Ex. W6 | 21-03-1997 | The Management's Counter. |
| Ex. W7 | 21-03-1997 | Reply filed by the Petitioner. |
| Ex. W8 | 26-08-1997 | Conciliation failure report. |
| Ex. W9 | Nil | Copy of the Writ Petition No. 3870/2000 with Affidavit. |
| Ex. W10 | 09-12-2006 | Recommendation of High Court through Lok Adalat directing the Ministry of Labour to refer the matter to this Tribunal. |
| Ex. W11 | 1991-92 | Attendance Register. |

On the Management's side :

| Ex. No. | Date | Description |
|---------|------------|--|
| Ex. M1 | 16-08-1992 | Copy of the appointment order appointing the petitioner on daily wages for a period of 15 days w.e.f. 16-08-1992. |
| Ex. M2 | 28-08-1992 | Copy of the termination order dated 28-08-1992 which shows that his services were terminated on 31-08-1992 on completion of 15 days. |
| Ex. M3 | 30-09-1992 | Copy of the termination order which shows that his services were terminated. |
| Ex. M4 | 09-12-1992 | Copy of the termination order which shows that his services were terminated. |
| Ex. M5 | 29-10-1993 | Copy of the termination order which shows that his services were terminated. |
| Ex. M6 | 26-07-1994 | Copy of the termination order which shows that his services were terminated. |

नई दिल्ली, 4 मई, 2011

का. आ. 1493.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इलेक्ट्रॉनिक कॉर्पोरेशन ऑफ इंडिया लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में

केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 48/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-42025/2/2011-आई. आर. (डीयू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1493.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 48/2010) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Electronic Corporation of India Ltd. and their workman, which was received by the Central Government on 4-5-2011.

[No. L-42025/2/2011-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABADPresent : Shri VED PRAKASH GAUR, Presiding
Officer

Dated the 28th day of February, 2011

Industrial Dispute LC No. 48/2010

BETWEEN

Sri E. Yadagiri,
S/o Chinna,
R/o H. No. 3-99, Cheeryal Village,
Keesara Mandal, R.R. District.

... Petitioner

AND

The Chairman & Managing Director,
Electronic Corporation of India Ltd.,
Kushaiguda, Hyderabad

... Respondent

APPEARANCES:

For the Petitioner : M/s. A. Jeevan Kumar &
N. Ramesh, AdvocatesFor the Respondent : M/s. P. Nageswar Sree,
Ch. Venkata Raju & T. Vijaya
Rao, Advocates

AWARD

This case has been filed by the Petitioner Sri E. Yadagiri under Sec. 2A(2) of the I.D. Act, 1947 challenging the oral termination order of Respondent Electronic Corporation of India Ltd., dated 31-3-2008.

2. Petitioner has filed claim statement stating therein that he has been taken on rolls as casual labour in 1985 on Rs. 12 per day. He was working initially in Engineering Service Group in the post of Helper. He worked continuously till his oral termination by the management dated 31-3-2008. He prayed to direct the Respondent to reinstate him into service as casual labour with back wages and attendant benefits.

3. Respondent has not yet filed counter and documents. On 28-2-2011 both parties called absent, as such, case is dismissed in absence of parties. Hence, Nil Award is passed.

Ordered accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 28th day of February, 2011.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

| | |
|--|--|
| Witnesses examined for the Petitioner | Witnesses examined for the Respondent |
|--|--|

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 4 मई, 2011

का. आ. 1494.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बीएसएनएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 10/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-40012/146/2004-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1494.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of BSNL and their workman, which was received by the Central Government on 4-5-2011.

[No. L-40012/146/2004-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI RAM PARKASH, HJS,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
KANPUR

Industrial Dispute No. 10/2005

BETWEEN

Sri Ram Kumar Kushwaha,
Son of Sri Badli Kushwaha,
Village and Post Sarkar,
District Jhansi

AND

The General Manager,
BSNL, Purana Exchange Building,
Lalitpur Road,
Jhansi

AWARD

1. Central Government MoL, vide notification No. L-40012/146/2004-IR (DU) dated 22-3-05 has referred the following dispute for adjudication to this Tribunal.

2. Whether the action of the management of Bharat Sanchar Nigam Limited, Jhansi, refusing the employment to Sri Ram Kumar Kushwaha with effect from 16-5-2004 is legal and justified? If not to what relief the workman is entitled.

3. Brief facts are.

4. It is alleged by the claimant Sri Ram Kumar Kushwaha that he was engaged as a casual labour at Sakrar Telephone Exchange Sub-Divisional Officer, Mauranipur, District Jhansi under Bharat Sanchar Nigam Limited with effect from 10-2-2001 to 16-5-2004. During the period of his service he performed his services with most efficiently and delegantly and no complaint was found against by his superiors under whom he worked nor there was any complaint against him. During the period of his services the applicant performed the duties of maintenance of diesel generator so as to avoid dis-connectivity of electric supply and entries to this effect were made by him in the register provided by the employer. At that time the names were not called from employment exchange at rural exchange under Sub Divisional Mauranipur, and there was no publication like dated 27-7-2002 for recruitment of class III and class IV. It is alleged that he is also entitled to get the benefit as given to other. It is also alleged by the claimant that his attendance was also recorded in attendance register at Sakrar station during his service. During his service he obeyed the order of Sub Divisional Officer, Mauranipur regarding maintenance of telephone and has also attended the complaints of public at large with regard to deficiency of telephone service. After putting day and night labour and getting his signature on the vouchers, he was being

paid Rs. 600 per month only. When Sri Jugal Kishore who was working at Sakrar Telephone Exchange was removed on 30-3-03, due to his removal there was a heavy load on him, so he demanded proper wage from the management, but getting annoyed the management removed him from his service without issuing him any notice or giving any retrenchment compensation. It is the further claim of the workman that he worked for more than 240 days preceding one calendar year from the date of illegal removal of his service. He was removed from his service on verbal orders. It is also alleged that the opposite party had issued a communication on 27-7-02 regarding recruitment of the officials, which shows that there is work with the opposite party. Therefore, he has prayed that he should be reinstated in service with full back wages, continuity of service and all consequential benefits. It is also alleged that after his removal from his service he immediately filed his complaint before ALC(C), Kanpur, from where the reference was referred to this Tribunal for its adjudication.

5. Opposite party has filed the written statement contradicting all the averments made in the claim statement. They have specifically denied that the claimant was ever engaged on 10-2-01 till 16-5-04. He is not an employee of the opposite party. All the documents filed by the claimant are totally fabricated and forged one. It is wrong to say that his services were ever terminated by the management since he never remained in the employment of the opposite party. He never worked for 240 days or more. It is wrong to say that the claimant had ever operated the generator and recorded its reading in the register. There is no post of generator operator temporary or permanent.

6. It is alleged that the opposite party had never advertised any post on 27-7-02 or any other date for filling up of any vacancy. It appears that the publication is again rank forgery. It is alleged that the complainant is guilty of manufacturing and manipulating fabricating the false documents and also using false documents before this tribunal for his own interest. Opposite party reserves its right to give proper reply about each and every document when the same are produced before this tribunal. It is not a case of wrong termination, therefore, the claim deserve to be dismissed with exemplary cost.

7. Claimant has also filed rejoinder in the case but nothing new has been detailed by him except reiterating the contention pleaded by him in his statement of claim.

8. Both the parties have filed oral evidence. Whereas claimant has filed documentary evidence along with hand writing report of hand writing expert Sri Anil Agrawal.

9. Opposite party has not filed any documentary evidence.

10. Claimant has adduced in evidence himself as Sri Ram Kumar Kushwaha as W.W.1. Opposite party has adduced Sri K. N. Shukla, Commercial Officer, BSNL as M.W. 1.

11. Heard and perused the record thoroughly.

12. Workman has filed the report of hand writing expert Sri Anil Agrawal document examiner. It is contended by the workman that he has examined the disputed documents with admitted documents of Sri K. N. Shukla who was Sub Divisional Engineer and in his report he has found that the signature on the disputed documents appears to be the signature of Sri K. N. Shukla.

13. I would like to say that Sri Anil Agrawal, document examiner has not been produced in the court and his statement has not been recorded in the court. Opportunity for cross-examination has not been given to the opposite party. It is a question to think over, when the workman was so sure that the signature on the disputed documents tallies with the signature of Sri K. N. Shukla then who was stopping him in not producing Sri Anil Agrawal in the court. It shows that there is something doubtful with the part of the claimant in not producing the hand writing expert.

14. Moreover the documents which were sent to him were not sent by seeking the permission of the court, the documents was sent by the authorized representative for the claimant behind the court. It appears that photocopies of certain documents and original register of attendance and diesel registers claimed by the workman were sent to the hand writing expert. In the normal course it was incumbent upon the workman to produce and to deposit the original record before the tribunal and permission should have been sought to get the signature compared with the disputed documents and admitted documents. Even there are no such admitted documents; it is a thinking of the workman that these are the admitted documents. The best course should have been that the claimant should have summoned Sri Shukla in the court and his signature should have been obtained in the court and then should have been sent for comparison. But all the process adopted by the authorized representative of the workman is behind the back of the court and the opposite party.

15. In this case when claimant did not adduce the evidence, my learned predecessor recorded the evidence of the management on 19-11-07 and his witness was also cross-examined by the claimant and the case was fixed for arguments and the case was reserved for award on 12-12-07. Later on the opportunity was given to the claimant and his evidence was recorded on 8-7-08.

16. I have examined the statement of both the witnesses. M.W. 1, Sri Shukla has specifically stated on oath that the claimant never worked as a casual labour at Sakrar Telephone Exchange in between 2001 to 2004. He was never paid any wages. There was no publication in the year 2002 from the department for recruitment for any post. Claimant was never issued any working certificate. There is no attendance register in which the attendance of the claimant might have been marked. Job work regarding the

maintenance of generator was being carried out by awarding contract through open market.

17. He has been thoroughly cross-examined. It is the contention of the claimant that working certificate dated 23-10-04 paper no. 13/21 was issued to the claimant by Sri K. N. Shukla, but there was no such suggestion or a question put to Sri K. N. Shukla that this certificate or photocopy of the same was issued by him. Similarly no question was put to him or no suggestion was given to him regarding attendance register of diesel stock register that it carries the name of the claimant as well as the signature of Sri K. N. Shukla. Claimant has filed all these registers and documents claimed to be original on 8-7-08 at the time of his evidence vide application paper No. 19/1. I have examined this application. This application bears number of dates like 26-12-07, 8-1-08 and 8-7-08. It shows that these documents were in the custody of the claimant long back. It is expected from the parties that if they have any original documents, it should have been filed in the court at the earliest so that forgery may be avoided in the documents and an opportunity may be given to the other side to explain the documents. There should not be any hide and seek between the parties.

18. Contention has been raised by the authorized representative for the opposite party that the working certificate dated 23-10-04 is a fabricated one because when his services have already been removed on 16-5-04 why the officer will issue such certificate after a long time. In this regard a question was also put to W.W. 1 but on this his reply does not appear to be satisfactory to me, as there was no such recruitment going on in the opposite party department, as they have specifically denied this fact. Claimant has not proved that there was any publication on 27-7-02 for any kind of recruitment. Claimant has also not proved this fact in the evidence also.

19. Much stress has been given by the claimant on attendance register and diesel maintenance register. I have examined both the documents. In the month of January, 2001 at page no. 4 of attendance register claimant admitted in the cross that after serial no. 4 in the attendance register he had himself added his name as Ram Kumar Kushwaha and he himself marked p.p. in the column of dates. He himself has put his signature. There is no serial number after four. Similarly in the month of February after serial no. 4 he himself added his name without putting serial number. Similarly in the month of March, 2002, he added his name in the end of name Dhananter and Jugal. Opposite party has specifically drawn my attention that it appears to be forged one because in the month of March, 2002 there were only two names in the attendance register and thereafter the name of the applicant was added in the column which shows an entry has been made in the month of April 2001. I have examined this fact. There appears force in the contention of the opposite party because there is a over writing as admitted by Ram Kumar Kushwaha

claimant himself and the same was without serial number and it shows that wherever space he find he added his name.

20. When a question was asked in the cross, how did he obtained the register of BSNL, he replied that the register were being thrown by BSNL Department and thereafter Sri Ashok has given the same to him. But Asho has not been produced in evidence to prove this fact before this tribunal. Further when a question was asked in the cross that there is no attendance of the claimant in the month February 2002 to February 2003, he replied that as the case has started proceedings therefore he was made to run away and the SDO was also transferred. But I find this fact is not true. On the one hand he is saying that a certificate was issued to him on 23-10-04 which is a working certificate and on the other hand he is deposing the fact that he was made to run away therefore, his attendance was not marked in the attendance register. When a question was asked that who had issued the working certificate his reply was that there was one person in the office who has written the Certificate, whereas this certificate shows that it contains the signature of disputed Sri K. N. Shukla.

21. Similarly he has filed other original papers 19/22, 19/20 and 19/19. Opposite party has challenged the veracity of these documents. I do not find any relevancy and truthfulness in these documents as claimed by the claimant.

22. Claimant has placed reliance in the case of Gangadhar Pillai versus M/s Siemens Limited in [(2007) 1 UPLBEC 5126], but in the present case the claimant has not been able to prove that he was ever engaged by the opposite party on 10-2-2001 as a phone mechanic or as a generator operator. There is no appointment letter, I have also given my anxious consideration to this point and find that if at all he had been engaged for such a long period then he must have been paid his wages either through the voucher or any other mode. But he did not summon such vouchers. During arguments his representative contended that the vouchers were being prepared by the concerned officers of the opposite party at Jhansi. When I asked why he did not summon the same, there was no positive reply. I examined the evidence on this point. It is otherwise. Therefore, the claimant has failed to prove that he has worked with the opposite party as a casual labour with effect from 10-2-01 to 16-5-2004. He has also failed to prove that his services were terminated by the opposite party on 16-5-04 by oral order.

23. Therefore in view of my findings recorded above, the claimant is not entitled to claim any relief and the reference order is hereby decided against the claimant and in favour of the opposite party.

RAM PARKASH, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1495.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 12/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-40012/75/2003-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1495.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BSNL and their workman, which was received by the Central Government on 4-5-2011.

[No. L-40012/75/2003-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I, CHANDIGARH

Reference No. 12/2004

Sh. Bhurumal, Village Kharkhoda,
W. No. 10, PO Kharkhoda,
Sonapat ... Applicant

Versus

The General Manager, BSNL,
Telecom, Distt. Sonapat ... Respondents

APPEARANCES:

For the workman : Sh. R. N. Sharma
For the Management : Sh. Anish Babbar

AWARD

Passed on 11-4-11

Government of India, Ministry of Labour and
Employment vide Notification No. L-40012/75/2003-IR
(DU) dated 29-1-2004 referred the following industrial
dispute to this Tribunal for adjudication:

"Whether the action of the Management of BSNL,
Sonapat in terminating the services of

Sh. Bhurumal worker w.e.f. April, 2002 is just and
legal? If not, to what relief he is entitled to?"

After receiving reference parties were informed.
Parties appeared and filed their respective pleadings. The
case of the workman is that he has worked with the
management of Telecommunication as lineman w.e.f.
1-7-1987 to 27-4-2002 on daily wages in various telephone
exchanges on different terms as follows:

- (A) He worked from 7-7-1987 to January 1993 at
Telephone Exchange @ Rs. 750 per month at
Sonapat.
- (B) He worked from February 1993 up to 2000 the
claimant worked with JTO Kharkhoda and SDO
Rajinder Rangi @ Rs. 1400 per month.
- (C) Then he was transferred in 2000 at Fermana and
remained in Fermana upto January 2001.
- (D) In 2001 his salary was increased from Rs. 1400
to Rs. 1500 per month.
- (E) In February, 2001 he was posted at Village
Saidpur by the SDO, Telephone.
- (F) He was working continuously on daily wages
basis and without any break for 15 years under
the respondent and his work and conduct was
good and no complaint was ever received from
any quarters against him. This fact will be made
clear from the fact that he started his career
from Rs. 750 per month and in the last month of
April, 2002 he was drawing salary of Rs. 2000
per month.

He met with an accident on 17-11-2001 while repairing
the fault of telephone No. 65033 belonging to Maharashtra
Factory Ferozepur Bangar. He was on the telephone and
by the 11,000 electric line which was going over the
telephone pole the workman was electrocuted. The
workman has in detail narrated the incidence how he was
treated in different three hospitals and about the conduct
of officers during this period. After recovery he again
served with the department but his services were
terminated on 27-4-2002 without notice or without payment
of one month wages in lieu of notice and without payment
of lawful compensation.

The management appeared and filed their respective
pleadings and opposed the claim of the workman by filing
written statement. It is contended in the written statement
that Sh. Bhurumal is guilty of mentioning different date of
accidents. It is denied that any accident occurred while
Sh. Bhurumal was working with the management. He has
never worked as daily waged worker. No payment was
made good by the management directly. On electrocution
of the workman and help of Rs. 4,000 given to him by SDO
Sh. Jitender, the management at one place shows ignorance
and on another place management denied this fact. The

management has very much challenged the master-servant relationship of the workman Sh. Bhurumal with the management.

Both of the parties afforded the opportunity for adducing evidence. Sh. Bhurumal filed his affidavit and he was cross-examined by learned counsel for the management. Sh. Dilbagh Singh filed the affidavit on behalf of the management and he was cross-examined by the workman himself. Sh. Raghuvir Singh, Sh. Jitender Kumar and Sh. Sanjiv Kumar were summoned by the Tribunal on request of the workman as the court witnesses. They were examined by Court and opportunity for cross-examination was also afforded to the management and workman both. This act was done by the Tribunal to ensure justice so that reality and truthness may come before the Tribunal. The workman has filed all the original documents relating to his treatment for electrocution. The workman has also filed the photocopies of certain documents regarding the repair of faults in certain telephones. A photocopy of the application moved by Sh. M. K. Kaushal on 4-4-2002 to JTO Gorup Telephone Exchange, Sonapat, Haryana has also been filed in which it is mentioned that Sh. Bhurumal has installed the telephone at his residence. The same application is on record in which the name of Sh. Bhurumal is mentioned as installer of telephone. There are certain photocopies of documents in which informations regarding Sahedpur Telephone Centre is given to Chief General Manager, Telephone Department. In this information name of Sh. Bhurumal is mentioned as employee of Sahedpur Telephone Department. In this letter it is very much mentioned that in the year 2002 in Sahedpur Telephone Centre new connections were issued through employee Sh. Bhurumal and Sh. Ramesh. Thereafter, the telephone numbers are also mentioned. Certain documents relating to issue of goods to Sh. Bhurumal have also been filed by the workman Sh. Bhurumal. Management was directed to file the originals of these documents but the management failed.

The workman has also filed two diaries in which he has entered all the works done on different dates in the telephone department. I have perused the diaries from which it is clear that these diaries have been maintained in ordinary course of business and are reliable piece of evidence particularly before the Tribunals which works on the basis of justice equity and good conscious. Such documents are also to be considered by the Tribunal because of disparity in socio-economic conditions of both of the parties. Workman Sh. Bhurumal is socially and economically deprived class and management is always in the position to dominate over the workman. If entire oral and documentary evidence is considered cumulatively, it is evidently clear, that management has tried a lot to suppress the true fact and evidence and dominate the workman due to his superior position. This Tribunal has

summoned three witnesses and has recorded their demeanor. It will be discussed slightly later on.

The management has raised the issue of direct master-servant relationship between the workman and the management. It is contended by the management that workman might have worked through contractor but he has not directly worked with the management. To establish the master-servant relationship the Hon'ble Supreme Court of India has laid down certain guidelines in several judicial pronouncements. The latest judicial pronouncement is GM ONGC, Shilcher Vs. ONGC Contractual Workers, Union 2008 LLR 801 (Supreme Court). In this judicial pronouncement, the Hon'ble Apex Court has also relied upon the principles laid down in Steel Authority of India Limited and others Vs. National Union Water Workers and others AIR 2001 Supreme Court 3257(1). The ratio of the ONGC Shilcher's case (supra) relating to master-servant relationship is that to prove this relationship following facts have to be proved by the workman :

- (i) That workman was directly appointed/engaged by the Telecommunication Department.
- (ii) That workman was under the administrative control of the Telecommunication Department.
- (iii) The payment of wages were made good to the workman by the Telecommunication Department directly.
- (iv) At the cost of repetition that rolls for the purpose of making the payment good were prepared by the management of Telecommunication Department and the same were paid to the workman.

If all these facts are considered and implemented in the present case, it is evidently clear that workman was directly working under the administrative control of the management. The documents filed by the workman which have not been seriously challenged by the management proves beyond doubt that workman was working with the management as lineman. Moreover, the diaries which have been filed by the workman and were prepared in the ordinary course of business also prove this fact that workman was working directly under the administrative control of the management. For daily wages worker nature of initial appointment is immaterial. Sh. Bhurumal worked with the management almost 15 years as a daily waged worker. Thus, the nature of initial appointment cannot be challenged by the management to justify the illegal termination. It is also established before this Tribunal that workman was electrocuted while working as a lineman and the officers of the management have helped him socially, emotionally and financially at the time of accident but after the termination of the services of workman they tried to become hostile. This is the function of the Tribunal to reach to the truth. Accordingly, the demeanor of every

witness which was recorded by the Tribunal in detail. This demeanor is very well available and in the evidence of every witness. Only one witness dare to deny the fact of accident. Rest two witnesses only showed the ignorance. If the evidence of all the witnesses is taken jointly and cumulatively, it established that workman was electrocuted while working as a lineman.

Circumstances speaks themselves. The workman has himself asked certain questions to the witnesses relating to the telephone numbers which he has installed. There are certain applications on record as well to prove that workman Sh. Bhurumal has installed the telephone. At one place the witness of management has stated that Sh. Bhurumal might have worked as a contractual worker. I am unable to understand that if Sh. Bhurumal has worked as contractual worker for 15 years how officer can forget his name and face. It is the contention of the management that very limited workmen were working in the telephone exchange in which Sh. Bhurumal was working. One witness denied to recognize Sh. Bhurumal whereas another one after adducing part of evidence has stated that yes, Sh. Bhurumal might have worked through contractor. The management has just filed the photocopy of the contract agreement entered with the contractor. It was not proved properly. Directly and indirectly it was challenged by the workman but, original contract agreement was not placed before this Tribunal nor the contractor summoned in the court, whereas, all possible opportunity for adducing evidence was afforded by this Tribunal. The management also failed to prove that consolidated amount were paid to the contractor and contractor used to pay the wages to the workman. As stated earlier the workman by cogent evidence has proved that he was working as a lineman with the management and his services on one fine morning were terminated. No weightage was given to his 15 years service with the department. In the documents relating to his treatment, he has been shown by the Government Medical College, as Government servant.

The management has tried to derail the proceedings on same technical issues like the date of accident. Initially the witnesses denied even the knowledge of accident but thereafter, one witness stated that he has heard about the accident but has not visited the hospital. The Tribunal must not undermine the socio-economic position of the workman. Workman is an illiterate person. In the ordinary course of nature, it is highly probable for an illiterate person to mention the different dates of accidents. But it is the duty of the Tribunal to come to the truth regarding the date of accident. The date of accident is very much clear from the medical documents, prescriptions etc. Thus, where an issue (regarding the date of electrocution) is very much clear and established by the documentary evidence, the management cannot be permitted to dispute it on the issue that workman has mentioned different dates somewhere else. Thus, there shall be no effect on mentioning different

date of accidents on the merits of this case because these dates are very much established by documentary evidence.

I am surprised to see the way management has conducted this case. The Central Government has adopted a litigation policy. In the litigation policy, Central Government has directed all the Government Departments to be fair in the matter of pleadings and proof before the Courts or Tribunals. It is a mandate of the litigation policy that department should not resort to the litigation for litigating. Correct facts have to be placed before courts and Tribunals. All the documents have to be placed before the Courts or Tribunals. But the cumulative effect of evidence of both of the parties is it seems that management has not honoured the Central Government litigation policy.

From the above discussions, it is clearly established that workman was directly engaged by the management as a lineman. He has worked for substantial period (almost for 15 years) with the management. His services were illegally terminated. The management which is the Government Department is supposed to be a role model employer in the society. But, the act of management in this case is otherwise. The management has not disputed the fact that workman has worked for more than 240 days in the preceding year from the date of his termination. The management has denied his very much existence in the department without any proof. Photocopies of relevant documents were filed by the workman. Originals were summoned. The management failed to provide the originals. There is no doubt in the genuineness and correctness of the documents filed by the workman. As management has failed to provide the originals, even after direction of Tribunal, adverse inference will be taken. The nature of adverse inference shall be that it shall be considered that workman has completed 240 days of work in the preceding year from the date of his termination. Undisputedly no notice or one month wages in lieu of notice and retrenchment compensation was paid to the workman. This makes his termination illegal and void. Considering the facts and circumstances of this case and conduct of management, for me, only remedy lies is reinstatement of workman. Accordingly, the management is directed to reinstate the services of the workman on the same position he was working prior to his termination within one month from the date of publication of award along with back wages. This industrial dispute is accordingly answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1496.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार

दूरसंचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 281 तथा 283/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-40012/143 तथा 145/2001-आई आर (डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1496.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. Nos. 281 and 283/2001) of the Central Government Industrial Tribunal-cum-Labour No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 4-5-2011.

[No. L-40012/143 and 145/2001-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I, CHANDIGARH**

I.D. No. 281/2001

Sh. Deepak Kumar, C/o Sh. Madan Mohan,
H. No. 1212, Sector 22-B, Chandigarh

ID No. 283/2001

Sh. Sanjiv Kumar, C/o Sh. Madan Mohan, H. No.
1212, Sector 22-B, Chandigarh. ... Applicant

Versus

The General Manager, Telecom,
Amritsar (Punjab) ... Respondent

APPEARANCES:

For the Workmen : Sh. R. K. Singh

For the Management : Sh. Anish Babbar

AWARD

Passed on 8-4-11

Government of India, Ministry of Labour and Employment referred the following industrial dispute to this Tribunal for adjudication:

ID No. 281/2001 Deepak Kumar

L-40012/143/2001-IR (DU) dated 6-8-2001

“Whether the action of the Management of General Manager, Telecom, Amritsar in terminating the services of Sh. Deepak Kumar S/o Sh. Gurdial Singh

is just and legal? If not, to what relief the workman are entitled to and from which date?”

ID No. 283/2001 Sanjiv Kumar

L-40012/145/2001-IR (DU) dated 6-8-2001

“Whether the action of the Management of General Manager, Telecom, Amritsar in terminating the services of Sh. Sanjiv Kumar S/o Sh. Gurdial Singh is just and legal? If not, to what relief the workman is entitled to and from which date?”

Both of the disputes are relating to each other. Common questions of law and facts are involved in both of the references, accordingly, both are adjudicated by this Award.

After receiving reference parties were informed. Parties appeared and filed respective pleadings. The case of the workman Mr. Deepak in nutshell is that he was serving as Security Guard in the DTST Bharat Nigam, Amritsar on a permanent job on 1-4-1996. He was drawing the salary of Rs. 1200 per month. His services were terminated on 28-2-1999 without notice, charge sheet, enquiry or compensation. It is also the contention of the workman that his juniors were retained in service whereas the services of workman were terminated. He served a demand notice by which industrial dispute was raised and on failure of conciliation report this reference. The same is the contention of workman Mr. Sanjeev with some changes in dates.

Management appeared and opposed the claims of the workman by filing written statement. The management has challenged the very master-servant relationship between management and workmen. It is contended by the management that both workmen were never appointed and not even a single penny was paid by the management to them. Their services were provided with on outsourcing through a contractor M/s Ashwani Kumar Sarpal.

Both of the parties have filed their respective documents. Management has filed the argeement contract entered in between the management and the contractor, whereas, workmen have filed photocopy of attendance register and two other documents in which their name figured as Mazdoor. Both of the parties were afforded the opportunity for adducing evidence. Workmen filed their affidavits. Their affidavits and documents were tendered but in spite of adequate opportunity, management did not cross-examined them. Adequate opportunity was given to the management for adducing evidence. The management could not adduce any evidence. Management was properly represented almost on all the dates for hearing arguments. Learned counsel for the management was present. This Tribunal to ensure the implementation of principle of natural justice afforded the opportunity to adduce evidence. But the management could not. Accordingly, evidence of the management was closed and argument heard. The effect of the closing of evidence of management shall be that

affidavit filed by the officers of management and the documents of contract shall not be considered as valuable and reliable piece of evidence because the same were not tendered and the witness not produced for cross-examination. But the plea taken by the management that there was no master-servant relationship shall be considered by this Tribunal on the basis of evidence available on record.

I have heard the parties in person and their learned Advocates at length :

So far as the employer-employee relationship is concerned, the Hon'ble Apex Court of India in *GM ONGC Shilcher Vs. ONGC Contractual Workers Union* 2008 LLR 801, (Supreme Court) has laid down certain principles to ascertain the direct relationship between the management and the workman. In this very Judgment, Hon'ble Apex Court has relied upon the principle laid down in *Steel Authority of India Limited and others Vs. National Union Water Workers and others* AIR 2001 Supreme Court 3257(1). Moreover, Hon'ble High Court of Punjab and Haryana in *Food Corporation of India Vs. CGIT-I, Chandigarh* has also relied upon the principles laid down in *ONGC Shilcher's case* (supra) and *Steel Authority of India Ltd.'s case* (supra) while laid down the principles regarding the direct employee-employer relationship between management of any organization and the workman. I have gone through the principles laid down by Hon'ble Courts in above cited judgments. The ratio of all the judgments mentioned above is that to ascertain the direct relationship between the management and the workman the following facts have to be proved by the workman :

- (i) That there existed a relationship of master and servant, (workmen were directly engaged by management of Telecom).
- (ii) That there was no contractor appointed by the management of Telecom.
- (iii) The management of Telecom used to supervise the alleged work assigned to individual workers.
- (iv) That the management of Telecom took disciplinary action and called for explanations from the workers.
- (v) That the workers were paid wages by the management of Telecom directly and not through the contractor. At the cost of repetition, the wages were paid directly to the workers by the management of Telecom and the acquaintance role were prepared by the management of Telecom to make the payment to the workers.

If above mentioned ratio of *GM, Shilcher's case* is applied in both the references, it is clear that workmen

have failed to prove that they were appointed/engaged by the management of Telecom. There is not a single iota of evidence on record to prove that they were directly under the administrative control of the management of Telecom. No doubt, it is contended by the workmen that their attendance were marked by the officers/officials of the management of Telecom, but it will not be sufficient to, prove the administrative control over them. They were supposed to file/adduce some cogent evidence like sanction of leave application, disciplinary action taken by the management of Telecom, if any etc. Thus, the workmen have failed to prove that they were under the administrative control of the management.

The circumstances speaks itself. The opening sentence of the statement of claim in Para No. 1 makes it clear that workman was serving as Security Guard. It is nowhere mentioned in statement of claim or in affidavits of the workman that he was appointed by the management of telecommunication. The claim of the workman is that he was serving the management as Security Guard. Under such circumstances the burden to prove that he was directly engaged/appointed by the management and was under the administrative control of the management lies on the workman. To discharge this burden the material on record only contains the affidavit of the workman, photocopies of the attendance sheets and two documents which are said to be the list containing the name of the labourers who had worked with the department during the period in question. I have perused all these documents in detail. It is nowhere mentioned in any of the documents that workmen were working directly and under the administrative control of the management. The attendance of every labourer is marked for the purpose of payment of wages. It cannot be the sole criteria to decide the issue of direct employer and employee relationship. Likewise, the two documents filed and relied upon by the workmen are also of the same nature. The documents contained the name of labourers who were working as a Mazdoor with the department. But, it is nowhere mentioned in any of the documents that under what capacity the workmen were working with the management. The nature of employment is not disclosed by any of the documents filed by the workmen. The workmen failed to file any cogent and reliable evidence to prove that they were directly appointed by the management. They have also failed to prove that they were directly getting the wages from the management and were under the administrative control of the management. Accordingly, the workmen have failed to establish the direct employer and employee relationship and they are not entitled to any relief.

The references are accordingly answered. Let Central Government be approached for publication of Award and thereafter file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1497.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नासिक के पंचाट (संदर्भ संख्या 3/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-2011 को प्राप्त हुआ था।

[सं. एल-12012/149/98-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 4th May, 2011

S.O. 1497.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 3/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Nashik as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 29-4-2011.

[No. L-12012/149/98-IR(B-1)]
RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SHRI A. S. GATTANI, PRESIDING
OFFICER, LABOUR COURT, NASHIK

Ref. (I.D.A.) No. 3/1999

BETWEEN

State Bank of India,
Region-V Pune.
East Street, Pune-411001
Maharashtra.
Through the Regional Manager.

..... First Party/Employer

AND

Shri Rajendra Dattatraya Phad.
R/o Plot No. 19, Sr. No. 892,
Chetanagar, Ranenagar, Nashik-9.
Maharashtra. Second Party/Workman

PRESENT:

Shri A. S. GATTANI, Judge.

APPEARANCES:

Shri C. A. Deolalkar, Advocate for first party/employer
Smt. V. D. Karad, Advocate for second party/workman

AWARD

(22nd February, 2011)

This is a reference sent by the Government of India, through Ministry of Labour sent this reference to this

Court under Section 10 of Industrial Disputes Act, 1947 for adjudication on the demand of second party/workman. Schedule of reference is as under :

SCHEDULE

“Whether the action of the management of State Bank of India, Region-V Pune in terminating the services of Shri Rajendra Dattatraya Phad, is legal and justified? If not, to what relief the said workman is entitled to?”

2. After receipt of this reference, notices were issued to both parties. Thereafter second party/workman has filed statement of claim at Ex. U-2. It is contended by second party that he worked as messenger cum peon with first party Bank at CIDCO branch and Nashik Road branch from 12-1-1987 to 10-4-1987, 1987 to 1988, 1993, 1994 to 1997. Though he was given assurance that he will be made permanent, but he is not made permanent and his services were illegally terminated by first party bank. By amendment, it is contended that, he was working on permanent post, he worked for more than 240 days in 12 consecutive calendar months preceding date of termination. It is further contended that, more than 100 employees are working with the said Bank and hence Industrial Employment Standing Orders Act and model standing orders framed thereunder are applicable. The first party has not complied with provisions of 4 (D), (1) and (2) of model standing orders. It is further contended that second party is not paid retrenchment compensation and notice pay by first party at the time of termination of services and junior persons than the second party have been retained in service. Hence, it is violation of Section 25 F and G of Industrial Disputes Act, 1947. No seniority list is published as required under rule 81 of Industrial Disputes Act, 1947. Hence, the second party prayed for reinstatement with continuity of service and full back wages from the date of termination of services.

3. The first party resisted the claim of second party by filing written statement at Ex. C-5 contending that due to delay and laches, reference becomes infructuous and hence liable to be dismissed. It is contended that the second party never worked continuously for 240 days or more with the first party bank. As such it is not necessary to pay him notice pay or retrenchment compensation as provided in Section 25 F of Industrial Disputes Act. He was appointed for specific period as Messenger-cum-sweeper. There is Shastri Award which is settlement with State Bank of India Staff Federation by management. Last such settlement was entered into on 30-7-1996 to regularize the temporary workmen and that settlement was valid upto 31-3-1997 and then the said list of temporary employees is scrapped. In that list, second party was a wait list candidate. Since he is not absorbed till 31-3-1997, he has lost his claim in that list. By additional written statement, it is contended that, the second party never worked for years

together continuously. There is no unfair labour practice committed by the bank. It is contended that submissions about applicability of model standing orders are misleading. It is also contended that there was no necessity to comply with the provisions of Section 25 F of the Industrial Disputes Act. It is contended by the bank that termination of services of the bank does not amount to retrenchment. The bank also denied other submissions. There is no illegality committed by the bank. Hence, the bank prayed for dismissal of the reference with costs.

4. Taking into consideration the rival contentions of both parties, my learned predecessor framed the following issues. I have recorded my findings followed by reasons.

| ISSUES | FINDINGS |
|---|---------------------|
| 1. Whether the first party bank proves that the Reference is not maintainable on account of the alleged delay ? | No. |
| 2. Whether the concerned workman was employed as alleged ? | No. |
| 3. Whether the termination of their services was legal and justified ? | Yes. |
| 4. Whether the workman/second party is entitled to reinstatement with all Consequential benefits ? | No. |
| 5. What award ? | As per final order. |

REASONS

5. In support of his claim, the second party has filed his affidavit at Ex. U-4 stating relevant facts of the case. He is duly cross examined on behalf of the first party Bank. It is to be noted that the first party did not examine any witness before this Court. The second party filed certificate of first party dated 9-2-2000 at Ex. U-7 stating that the second party worked from 2-7-1993 to 31-7-1993, copy of certificate issued by first party dated 6-7-1996 stating that second party worked for 105 days in 1993 and 66 days in 1994 which is at Ex. U-6, copy of certificate at Ex. U-5 stating that second party worked with first party from 12-1-1987 to 10-4-1987. Second party also filed an application calling for documents from the office of Assistant Labour Commissioner (Central) Pune i.e. demand notice, justification statement, reply of bank before the said authority. Accordingly, notice was issued to the Assistant Labour Commissioner (Central) Pune and accordingly, the second party workman by hand filed the copy of written say of the bank which is filed before the said authority in dispute raised by the second party/workman. The first party filed copies of settlements dated 17-11-1987, 16-7-1988, 27-2-1988, 9-7-1991 and 30-7-1996 along with Ex. C-17 in Ref. IDA 1/1999 in the case of Shri R. B. Yeola. The first party also filed certain documents in

Ref. IDA 26/1999 which is a case of this bank and Shri Maind, copy of settlement dated 30-7-1996 including the list of ex-temporary employees of bank showing their number of days worked with the bank. The said document is filed along with Ex. C-5 in that case and it is marked as Ex. U-24. I have heard arguments of Smt. Karad, the learned counsel appearing for second party/workman and Shri Deolalkar, learned counsel appearing for the first party. I have also gone through the statement of claim, written statement and documents filed by both the parties.

6. As to issue No. 1 : It is argued on behalf of second party that, the services of second party are terminated in 1994. Thereafter he made demand for reinstatement with continuity of service and back wages. The bank did not reinstate him, hence, he prayed that the demand be admitted into conciliation. The matter was before Assistant Commissioner of Labour (Central) Pune. Dispute was not settled and hence the Central Government referred the said dispute to this Court in the year 1999 and hence there is no delay in raising the dispute or referring the case for adjudication to this Court.

7. As against this it is argued on behalf of first party that, the reference deserves to be dismissed on the ground of delay and laches. It is further argued on behalf of the first party bank that after a lapse of many years from termination of services, present reference is sent to this Court for adjudication and as such, there is much delay, hence, reference deserves to be dismissed on the ground of delay itself. In support of said arguments, Shri Deolalkar placed reliance on the ruling of Hon. Madras High Court in the case of Management of Coimbatore District Consumers Cooperative Wholesale Stores Limited Vs. Presiding Officer, Labour Court, Coimbatore and R. Jagannathan reported in 2004 (2) LLN-1068 wherein it is held that, "it is not open to employees to raise dispute with glaring negligence and delay. Dispute raised is liable to be rejected on ground of delay alone".

8. In the case in hand, if schedule of reference is perused, there is no date of termination of services of the second party/workman. In the affidavit which the second party filed in lieu of oral evidence, it is stated him that, he worked with the first party bank till 9-5-1994 and his services have been terminated by first party bank on 9-5-1994. Thus, it is clear that the date of termination in this case is 9-5-1994. From the order of reference it is clear that though the said order is dated 13-1-1999 issued by Central Government of India, but it is clear that prior to that the case of the workman was pending before relevant authorities i.e. Assistant Labour Commissioner (Central) Pune and then Regional Labour Commissioner (Central) Mumbai for some time. In the case cited on behalf of bank i.e. Coimbatore District Consumers Co-operative Wholesale Stores Limited Vs. Presiding Officer, Labour Court, Coimbatore and R. Jagannathan reported in 2004 (2) LLN-1068 decided by Hon. Madras High Court, there was a

delay of 10 years in raising the dispute. Therefore, it is held that there is glaring negligence on the part of the concerned workman in that case. In the case in hand, there is no such glaring negligence. Hence, said ruling of Hon. Madras High Court cannot be said to be applicable to the facts of the present case.

9. Thus, considering facts of this case, I hold that, first party bank has not proved that the reference is not maintainable on ground of delay and latches. I therefore hold that there is no substance in the said allegations of the first party that reference is not maintainable on the ground of delay and latches. Hence, I answer issue No. 1 in negative.

10. As to issue Nos. 2 and 3 together : It is argued on behalf of second party by Smt. Karad, the Learned Advocate appearing for second party that, the second party worked with the first party bank for more than 240 days as messenger. He stated the fact of his employment with first party bank on affidavit which is filed in lieu of oral evidence before this Court. The first party bank has not adduced oral evidence in this case. Though the second party has been duly cross-examined on behalf of bank, the said cross-exam. is of no help to the bank. It is further argued that the work for which he was appointed by the bank is of permanent nature. Hence, first party bank should have made him permanent in service, but instead of making him permanent in service, he is illegally terminated. While terminating the services of second party, no opportunity of being heard is given to him. The provisions of retrenchment i.e. Section 25 F of Industrial Disputes Act, 1947 have not been followed by the first party as second party is not paid any notice pay or retrenchment compensation at the time of termination.

11. The learned counsel Smt. Karad appearing for workman/second party further argued that, while terminating the services of second party, junior persons have been retained and as such, it is breach of the principle of last come first go. The seniority list of employees of first party bank is also not published as required under rule 81 of the I.D. Bombay Rules. Permission of Government is also not obtained prior to terminating services of second party. It is further argued that though it was binding on the bank to maintain a seniority list of temporary employees as per provisions of the model standing orders, it is not maintained and as such, second party workman is being deprived of his rights and hence, the first party also committed the breach of the provisions of Model Standing Orders. Smt. Karad Advocate for second party further argued that termination of services of second party is by way of unfair labour practice. It is further argued that, as per Shastri Award, first party bank should have absorbed second party in permanent service, but that is also not done by the bank. It is further argued that though the work was of permanent nature, second party was intentionally issued orders from time to time, so as to

deprive him from getting benefits of permanent employment. It is further argued that before the Assistant Commissioner of Labour (Central) Pune, first party bank has wrongly shown working days of second party because in that chart less working days of second party have been shown with mala fide intention. It is further argued that no provision of law is followed before terminating the services of second party. The termination of services is illegal and unjustified. Hence, the said termination cannot be termed as legal and justified. Thus, act of terminating the services of second party is required to be set aside and therefore, he is entitled to reinstatement with continuity of service and full back wages from the date of termination along with other consequential benefits.

12. As against this, it is argued on behalf of first party that, second party workman was appointed for a limited period by first party bank. After the efflux of time, services of second party automatically stood terminated. Hence, the termination of services of second party is covered by Section 2(oo)(bb) of the Industrial Disputes Act and as such, it is not retrenchment within the meaning of law. Hence, the provisions of retrenchment are not applicable in the facts of the present case. As such, it was not at all necessary to pay notice pay or retrenchment compensation to the second party. It is further argued on behalf of first party that, the second party has also not worked for 240 days in 12 months preceding the date of termination. It is further argued that copy of settlement dated 30-7-96 is filed in Ref. IDA 26/1999 in the case of Shri D. P. Manid at Ex. U-24 and along with that document, one annexure is filed showing the number of working days of concerned workman with first party bank from which it is clear that he has not worked for 240 days with the first party bank. It is further argued that appointment of second party was not made on regular post. It was illegal appointment and as it is back door entry. It is further argued that, burden of proof to show that the concerned workman worked for more than 240 days with employer in 12 months preceding the date of termination of service, lies on the concerned workman. In the present case, the said burden is not discharged by the second party workman. It is further argued on behalf of the first party that, when person is appointed for temporary period and that too fixed period, after efflux of time of such appointment, that appointment automatically stands terminated, hence, it is not retrenchment but that case is governed by provisions of Section 2 (oo)(bb) of Industrial Disputes Act, 1947. In such case, the provisions of Section 25 F of I.D. Act will not be made applicable. It is further argued that as appointment of second party was for certain period and that too for certain exigency, it is not proper appointment. Hence, he is not entitled to any benefits such as permanency etc. It is further argued that, this Court cannot travel beyond the scope of reference which is sent for adjudication to this Court by the appropriate Government. It is further argued that there is no illegality or unfair labour

practice committed by the first party bank. As such, second party is not entitled to any relief as prayed. Hence, the reference is required to be dismissed.

13. In support of his arguments, the learned counsel for first party has placed reliance on the following rulings :

- (1) Prakash Panduran Sawant Vs. Punjab and Sind Bank reported in 2007 LLR-1077 (Bombay High Court) wherein it is held that, "when the peons in a bank have been engaged on fixed term basis, their termination from services will not amount to retrenchment even if they have worked for more than 240 days in the last calendar year since such terminations are excluded by clause (bb) of the definition of retrenchment under Section 2(oo) of the Industrial Disputes Act".
- (2) Ganga Kisan Sahakari Chinni Mills Ltd. Vs. Jalvir Singh reported in 2007 LLR-1260 (Supreme Court) wherein it is held that, "burden of proof to have been worked for 240 days in the preceding 12 months of the termination lies upon the workman and not on employer."
- (3) G. M. Tanda Thermal Power Project Vs. Jai Prakash Srivastava reported in 2008 LLR-30 (Supreme Court) wherein it is held that, "merely that the workers engaged for some work that too by an officer but not by the Appointing Authority have worked for 240 days, that will not provide them job security that their services could not be terminated without retrenchment compensation and one month's notice pay."
- (4) Award on the Industrial Disputes between certain Banking Companies and Their workmen, which is popularly known as Shastry Award.
- (5) G. Madhav Rao and Others Vs. State Bank of India, OJC No. 9039 of 1997 and others, decided by Hon. Orissa High Court, Cuttack on 18-9-1998 wherein the petitioners prayed for a direction to the State Bank of India and its functionaries to give them appointment in the post of Messengers. In those petitioners, the validity of select list came to an end on 31-3-1997, which is just like Shastry Award in the present case, on which reliance is placed on behalf of second party/workman in this case. In the petitions, the Hon. High Court of Orissa, Cuttack held that petitioners are not entitled to get any relief and accordingly those petitions are dismissed.

- (6) Decision of Their Lordships of Hon. Supreme Court in G. Madhav Rao Vs. State Bank of India and others wherein the above decision of Hon. Orissa High Court, Cuttack is challenged. It appears that the Hon. Supreme Court dismissed the said Special Leave Petitioners on merits.
- (7) Veer Kunwar Singh University Ad-hoc Teachers Association and others Vs. Bihar State University Service Commission reported in 2007 (114) FLR-423 wherein it is held that, the appointment on the temporary basis without following the procedure provided under the Act shall not exceed a period of six months.
- (8) Umakant Patnayak and Others Vs. Management, Gaiety Cinema reported in 2003 III CLR-674 in which it is held that, the Labour Court cannot travel beyond the reference made to it for adjudication.
- (9) Secretary, State of Karnataka and Others Vs. Umadevi and others reported in 2006 II LLL-722 (Supreme Court) wherein it is held that, any recruitment to State Service is to be governed by rules, constitutional and statutory. Similarly, casual/daily rated workers in Government and local bodies are not entitled to relief of absorption in regular service or parity of pay with regular employees. Further if and when sanctioned posts filled, said daily wagers were to be allowed to complete, waiving age restriction and giving weightage for their past work in department.

14. I have gone through the statement of claim filed by second party/workman, amendment sought in statement of claim, written statement as well as additional written statement filed on record by the first party bank. I have also gone through the documents filed on record. I have also gone through oral evidence of second party/workman and his cross examination. I have also heard the arguments for both the parties. I have also gone through the rulings cited on behalf of first party/bank.

15. In the statement of claim, it is contended by second party that, he worked with first party bank at CIDCO and Nashik Road branch during the period from 12-1-1987 to 10-4-1987, 1987 to 1988, 1993 to 1994, 1994 to 1997. By way of amendment, it is contended by second party that he worked with first party at CIDCO and Nashik Road branch from 12-1-1987 to 10-4-1987, 2-7-1993 to 31-7-1993, 9-8-1993 to 31-3-1994, 1-4-1994 to 9-5-1994. These facts go to show that second party/workman gave different dates of working with first party in the statement of claim and amendment.

16. It is to be noted here that in the schedule of reference, there is no date of termination of second party stated by concerned authority. In the affidavit which the second party has filed in lieu of oral evidence, he has disclosed the date of termination of his services as 9-5-1994. Since the second party has submitted on oath that, first party terminated his services from 9-5-1994, it is required to be seen as to whether the second party has worked for 240 days in 12 months preceding to his termination on 9-5-1994.

17. It is to be noted that, the second party has clearly admitted in para 14 of his cross examination that, he has not filed the order of appointment for the period from 1987 to 1988. He further admitted that he has not filed appointment order for the period from 9-8-1993 to 31-3-1994, 2-7-1993 to 31-7-1993, 1-4-1994 to 9-5-1994. He has further admitted in para 16 of cross examination that he has worked only for 89 days during 12-1-1987 to 10-4-1987. He has proved the certificates dated 6-7-1996 and 9-2-2000 which were marked as Ex. U-6 and U-7 during course of cross examination.

18. Taking into consideration the vital admissions given by the second party in his cross examination, it cannot be said that second party workman worked with first party bank as alleged in the statement of claim. Further in the statement of claim and in amendment sought therein, the second party workman has given different period of his working. Therefore, it is clear that there are contradictions in the period of working submitted by second party workman.

19. As stated above, first party in ref. IDA 26/1999 in the case of Shri D. P. Maind has filed copy of settlement dated 30-7-1996 at Ex. U-24. Along with said Ex. U-24, first party filed a chart showing the name of concerned workman and number of days he worked with the first party bank. In that chart, name of second party workman is at Sr. No. 37 and number of working days are shown against his name as 89.

20. Taking into consideration, statement of claim, amendment thereof, written statement of bank, documents filed on record by both parties, the oral evidence of second party workman and more particularly the vital admissions given by second party in cross examination, I hold that second party workman has not proved that he worked with first party bank as alleged.

21. In the light of ruling of Hon. Supreme Court in the case of Ganga Kisan Sahakari Chinni Mills reported in 2007 LLR-1260 (cited supra by first party), burden of proof to have worked for 240 days in the preceding 12 months of the termination of services lies upon the workman and not on the employer. Taking into consideration the pleadings, evidence and documents on record, I am of the view that the second party workman has not discharged said burden

of proof to have worked for 240 days in the preceding 12 months of termination of services.

22. As observed above, second party/workman admitted that he has only filed appointment order for the period from 2-7-1993 to 31-7-1993 (Ex. U-7), 1993 for 147 days, in 1994 year 86 days (Ex. U-6) and for period from 12-1-1987 to 10-4-1987 (Ex. U-5). I have already quoted vital admissions given by second party workman in his cross examination. The date of termination as stated by second party workman is 9-5-1994 as stated by him in affidavit.

23. There is no record to show that except for the period as stated in Ex. U-7, U-6 and U-5, he worked with first party bank. Thus, it becomes clear that the only period of working in respect of second party is from 2-7-1993 to 31-7-1993, so also in 1993 for 147 days and in 1994 only for 86 days and he also worked from 12-1-1987 to 10-4-1987. Taking into consideration the vital admissions given by second party workman, it cannot be said that he worked for 240 days in 12 months preceding the date of termination.

24. Since the second party failed to prove that he worked for more than 240 days in 12 months preceding the date of termination, it was not at all necessary for the first party bank to comply with the provisions of section 25 F of Industrial Disputes Act, 1947 i.e. payment of notice pay and retrenchment compensation to second party. As such, there is no substance in the contentions or arguments advanced by learned counsel Smt. Karad appearing for workman that as no notice pay and retrenchment compensation is paid, termination of services of second party is illegal or unjustified. Moreover, nothing has been shown on behalf of second party as to how the termination of services is illegal or unjustified.

25. It is to be noted here that, the workman placed reliance on Shastry Award which is dated 30-7-1996 between the management of bank and federation of employees of bank. It is argued on behalf of second party that on the basis of said Award, the first party bank should have absorbed the second party in service. It is not in dispute that the said settlement was valid upto 31-3-1997. In this regard, it is to be noted that, similarly situated many workmen filed petitions before the Hon. High Court of Orissa, Cuttack i.e. OJC No. 9037 of 1997 and others.

26. It is to be noted that the said petitions are dismissed by the Hon. High Court of Orissa, Cuttack on 18-9-1998 holding that petitioners therein are not entitled to any relief, and later on when the said order of Hon. High Court of Orissa was challenged before Their Lordships of Hon. Supreme Court in Special Leave Petition (C) 3081/1999, Their Lordships of Supreme Court also dismissed the said special leave petition and thereby order passed by the Hon. High Court of Orissa, Cuttack is made absolute. Reliance is placed on behalf of first party bank on the said ruling of Hon. High Court, Orissa and Hon. Supreme Court.

27. Taking into consideration, the facts of the present case and decision of the Hon. High Court of Orissa, Cuttack on which reliance is placed on behalf of first party bank, later on which decision has been confirmed by Their Lordships of Hon. Supreme Court on which also reliance is placed by the first party bank, there is no substance in the contentions or arguments advanced on behalf of second party that on the basis of settlement dated 30-7-1996, bank should have absorbed second party in service.

28. In the light of vital admissions given by the workman during his cross examination and only appointment order filed on record which is for the period from 2-7-1993 to 31-7-1993, for 147 days in 1994 and only for 86 days in 1994, which is at Ex. U-7, U-6 and U-5, I have no hesitation to hold that the appointment of second party workman was for specific period and after efflux of that period, the said appointment automatically came to an end and as such, it is not retrenchment as it is excluded from definition of retrenchment as given in section 2(oo) of the Industrial Disputes Act, 1947.

29. Thus taking into consideration the statement of claim, written statement filed by first party, documents filed on record, evidence of second party, arguments advanced by both the counsels for parties, the rulings cited on behalf of bank, I hold that the workman has failed to prove that he worked with first party as alleged and that the termination of services of second party is neither illegal nor unjustified. Hence, I hold that the termination of services of second party workman is legal and justified. Hence, I answer issue No. 2 in negative and issue No. 3 in the affirmative.

30. As to issue No. 4 : I have held that the action of first party bank in terminating the services of second party workman is neither illegal nor unjustified. Hence, I have held that the said termination of second party is legal and justified. Since termination of second party is held legal and justified, second party workman is not entitled to any relief including reinstatement or back wages. Hence, I answer issue No. 4 in the negative.

31. In the light of above discussion, I proceed to pass following order.

ORDER

It is declared that Shri Rajendra Dattatraya Phad, second party workman is not entitled to any relief including reinstatement with continuity of service of back wages as the said termination of his services is legal and justified. Award be sent for sent for publication to the Central Government.

Nashik,
Date : 22-2-2011

A. S. GATTANI, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1498.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नासिक के पंचाट (संदर्भ संख्या 1/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-2011 को प्राप्त हुआ था।

[सं. एल-12012/150/1998-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 4th May, 2011

S.O. 1498.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1/1999) of the Central Government Industrial Tribunal-cum-Labour Court Nashik as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 29-4-2011.

[No. L-12012/150/1998-IR(B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SHRI A. S. GATTANI, PRESIDING
OFFICER, LABOUR COURT, NASHIK

Ref. (I.D.A.) No. 1/1999

BETWEEN

State Bank of India,
Region-V Pune.
East Street, Pune-411001.
Maharashtra.
Through the Regional Manager.

..... First Party/Employer

AND

Shri Rajendra Baburao Yeola,
R/o Ramnagar, Beghar Vasti,
Taluka : Kalwan,
District : Nashik,
Maharashtra.

..... Second Party/Workman

PRESENT:

SHRI A. S. GATTANI, Judge.

APPEARANCES:

Shri C. A. Deolalkar, Advocate for first party/Employer
Smt. V. D. Karad, Advocate for second party/Workman

AWARD

(22nd February, 2011)

The Government of India, through Ministry of Labour sent this reference to this Court under section 10 of

Industrial Disputes Act, 1947 for adjudication on the demand of second party/workman as to whether the action of the management of State Bank of India, Region-V, Pune in terminating the services of Shri Rajendra Baburao Yeola, is legal and justified. If not, to what relief the said workman is entitled to ?

2. After receipt of this reference, notices were issued to both parties.

3. From the record, it appears that the second party/workman has filed statement of claim at Ex. U-2. It is contended by second party that he worked as messenger-cum-peon with first party Bank at Kalwan branch from 1-7-1975 to 31-12-1976, 1-1-1997 to 31-12-1986, 1987 to 1996. Though he was given assurance that he will be made permanent, but he is not made permanent and his services were illegally terminated by first party bank. By amendment, it is contended that, he was working on permanent post, he worked for more than 240 days in 12 consecutive calendar months preceding date of termination. It is further contended that, more than 100 employees are working with the said Bank and hence Industrial Employment Standing Orders Act and model standing orders framed thereunder are applicable. The first party has not complied with provisions of Section 4 (D), (1) and (2) of model standing orders. It is further contended that second party is not paid retrenchment compensation and notice pay by first party at the time of termination of services and junior persons than the second party have been retained in service. Hence, it is violation of section 25 F and G of Industrial Disputes Act, 1947. No seniority list is published as required under rule 81 of Industrial Disputes Act, 1947. Hence, the second party prayed for reinstatement with continuity of service and full back wages from the date of termination of services.

4. The first party resisted the claim of second party by filing written statement at Ex. C-5 contending that due to delay and latches, reference becomes infructuous and hence liable to be dismissed. It is contended that the second party never worked continuously for 240 days or more with the first party bank. As such it is not necessary to pay him notice pay or retrenchment compensation as provided in section 25 F of Industrial Disputes Act. He was appointed for specific period as Messenger-cum-Sweeper. There is Shastri Award which is settlement with State Bank of India Staff Federation by management. Last such settlement was entered into on 30-7-1996 to regularize the temporary workmen and that settlement was valid upto 31-3-1997 and then the said list of temporary employees is scrapped. In that list, second party was a wait list candidate. Since he is not absorbed till 31-3-1997, he has lost his claim in that list. By additional written statement, it is contended that, the second party never worked for years together continuously. There is no unfair labour practice committed by the bank. It is contended that submissions about applicability of model standing orders are

misguiding. It is also contended that there was no necessity to comply with the provisions of Section 25 F of the Industrial Disputes Act. It is contended that by the bank that termination of services of the bank does not amount to retrenchment. The bank also denied other submissions. There is no illegality committed by the bank. Hence, the bank prayed for dismissal of the reference with costs.

5. Taking into consideration the rival contentions of both parties, my learned predecessor framed the following issues. I have recorded my findings followed by reasons :

| ISSUES | FINDINGS |
|---|---------------------|
| 1. Whether the first party bank proves that the Reference is not maintainable on account of the alleged delay ? | No |
| 2. Whether the concerned workman was employed as alleged ? | No |
| 3. Whether the termination of their services was legal and justified ? | Yes |
| 4. Whether the workman/second party is entitled to reinstatement with all consequential benefits ? | No |
| 5. What award ? | As per final order. |

REASONS

6. In support of his claim, the second party has filed his affidavit at Ex. U-17 stating relevant facts of the case. He is duly cross examined on behalf of the first party Bank. It is to be noted that the first party did not examine any witness before this Court. The second party filed letter of first party dated 8-7-1989 which appears to be interview call letter issued to second party workman at Ex. U-23. He also filed appointment order at Ex. U-22 which is for the period from 1-1-1995 to 31-7-1995. Second party also filed an application calling for documents from the office of Assistant Labour Commissioner (Central), Pune i.e. demand notice, justification statement, reply of bank before the said authority. Accordingly, notice was issued to the Assistant Labour Commissioner (Central), Pune and accordingly, the second party workman by hand filed the copy of written say of the bank which is filed before the said authority in dispute raised by the second party/workman. The first party filed copies of settlements dated 17-11-1987, 16-7-1988, 27-10-1988, 9-7-1991 and 30-7-1996 along with Ex. C-17. The first party also filed certain documents in Ref. IDA 26/1999 which is a case of this bank and Shri Maind, copy of settlement dated 30-7-1996 including the list of ex-temporary employees of bank showing their number of days worked with the bank. The said document is filed along with Ex. C-5 in that case and it is marked as Ex. U-24. I have heard arguments of Smt. Karad, the learned counsel appearing for second party/

workman and Shri Deolalkar, learned counsel appearing for the first party. I have also gone through the statement of claim, written statement and documents filed by both the parties.

7. As to issue No. 1 : It is argued on behalf of second party that, the services of second party are terminated in 1997. Thereafter he made demand for reinstatement with continuity of service and back wages. The bank did not reinstate him, hence, he prayed that the demand be admitted into conciliation. The matter was before Assistant Commissioner of Labour (Central), Pune. Dispute was not settled and hence the Central Government referred the said dispute to this Court in the year 1999 and hence there is no delay in raising the dispute or referring the case for adjudication to this Court.

8. As against this it is argued on behalf of first party that, the reference deserves to be dismissed on the ground of delay and latches. It is further argued on behalf of the first party/bank that after a lapse of many years from termination of services, present reference is sent to this Court for adjudication and as such, there is much delay, hence, reference deserves to be dismissed on the ground of delay itself. In support of said arguments, Shri Deolalkar placed reliance on the ruling of Hon. Madras High Court in the case of Management of Coimbatore District Consumers Co-operative Wholesale Stores Limited Vs. Presiding Officer, Labour Court, Coimbatore and R. Jagannathan reported in 2004 (2) LLN-1068 wherein it is held that, "it is not open to employees to raise dispute with glaring negligence and delay. Dispute raised is liable to be rejected on ground of delay alone."

9. In the case in hand, if schedule of reference is perused, there is no date of termination of services of the second party/workman. In the affidavit which the second party filed in lieu of oral evidence, it is stated him that, he worked with the first party bank till 31-7-1997 and his services have been terminated by first party/bank on 31-7-1997. Thus, it is clear that the date of termination in this case is 31-7-1997. From the order of reference it is clear that though the said order is dated 8-1-1999 issued by Central Government of India, but it is clear that prior to that the case of the workman was pending before relevant authorities i.e. Assistant Labour Commissioner (Central), Pune and then Regional Labour Commissioner (Central), Mumbai for some time. In the case cited on behalf of bank i.e. Coimbatore District Consumers Co-operative Wholesale Stores Limited Vs. Presiding Officer, Labour Court, Coimbatore and R. Jagannathan reported in 2004 (2) LLN-1068 decided by Hon. Madras High Court, there was a delay of 10 years in raising the dispute. Therefore, it is held that there is glaring negligence on the part of the concerned workman in that case. In the case in hand, there is no such glaring negligence. Hence, said ruling of Hon. Madras High Court cannot be said to be applicable to the facts of the present case.

10. Thus, considering facts of this case, I hold that, first party bank has not proved that the reference is not maintainable on ground of delay and latches. I, therefore, hold that there is no substance in the said allegations of the first party that reference is not maintainable on the ground of delay and latches. Hence, I answer issue No. 1 in negative.

11. As to issue Nos. 2 and 3 together : It is argued on behalf of second party by Smt. Karad, the learned Advocate appearing for second party that, the second party worked with the first party/bank for more than 240 days as messenger. He stated the fact of his employment with first party/bank on affidavit which is filed in lieu of oral evidence before this Court. The first party/bank has not adduced oral evidence in this case. Though the second party has been duly cross examined on behalf of bank, the said cross examination is of no help to the bank. It is further argued that the work for which he was appointed by the bank is of permanent nature. Hence, first party/bank should have made him permanent in service, but instead of making him permanent in service, he is illegally terminated. While terminating the services of second party, no opportunity of being heard is given to him. The provisions of retrenchment i.e. Section 25 F of Industrial Disputes Act, 1947 have not been followed by the first party as second party is not paid any notice pay or retrenchment compensation at the time of termination.

12. The learned counsel Smt. Karad appearing for workman/second party further argued that, while terminating the services of second party, junior persons have been retained and as such, it is breach of the principle of last come first go. The seniority list of employees of first party/bank is also not published as required under Rule 81 of the I.D. Bombay Rules. Permission of Government is also not obtained prior to terminating services of second party. It is further argued that though it was binding on the bank to maintain a seniority list of temporary employees as per provisions of the model standing orders, it is not maintained and as such, second party/workman is being deprived of his rights and hence, the first party also committed the breach of the provisions of Model Standing Orders.

13. Smt. Karad Advocate for second party further argued that termination of services of second party is by way of unfair labour practice. It is further argued that, as per Shastri Award, first party/bank should have absorbed second party in permanent service, but that is also not done by the bank. It is further argued that though the work was of permanent nature, second party was intentionally issued orders from time to time, so as to deprive him from getting benefits of permanent employment. It is further argued that before the Assistant Commissioner of Labour (Central), Pune, first party/bank has wrongly shown working days of second party because

in that chart less working days of second party have been shown with mala fide intention.

14. It is further argued that no provision of law is followed before terminating the services of second party. The termination of services is illegal and unjustified. Hence, the said termination cannot be termed as legal and justified. Thus, act of terminating the services of second party is required to be set aside and therefore, he is entitled to reinstatement with continuity of service and full back wages from the date of termination along with other consequential benefits.

15. As against this, it is argued on behalf of first party that, second party workman was appointed for a limited period by first party bank. After the efflux of time, services of second party automatically stood terminated. Hence, the termination of services of second party is covered by Section 2(oo)(bb) of the Industrial Disputes Act and as such, it is not retrenchment within the meaning of law. Hence, the provisions of retrenchment are not applicable in the facts of the present case. As such, it was not at all necessary to pay notice pay or retrenchment compensation to the second party.

16. It is further argued on behalf of first party that, the second party has also not worked for 240 days in 12 months preceding the date of termination. It is further argued that copy of settlement dated 30-7-96 is filed in Ref. IDA 26/1999 in the case of Shri D. P. Manid at Ex. U-24 and along with that document, one annexure is filed showing the number of working days of concerned workmen with first party bank from which it is clear that he has not worked for 240 days with the first party bank. It is further argued that appointment of second party was not made on regular post. It was illegal appointment and as it is back door entry. It is further argued that, burden of proof to show that the concerned workman worked for more than 240 days with employer in 12 months preceding the date of termination of service, lies on the concerned workman. In the present case, the said burden is not discharged by the second party/workman.

17. It is further argued on behalf of the first party that, when person is appointed for temporary period and that too fixed period, after efflux of time of such appointment, that appointment automatically stands terminated, hence, it is not retrenchment but that case is governed by provisions of Section 2(oo)(bb) of Industrial Disputes Act, 1947. In such case, the provisions of section 25 F of I.D. Act will not be made applicable. It is further argued that as appointment of second party was for certain period and that too for certain exigency, it is not proper appointment. Hence, he is not entitled to any benefits such as permanency etc. It is further argued that, this Court cannot travel beyond the scope of reference which is sent for adjudication to this Court by the appropriate Government. It is further argued that there is no illegality

or unfair labour practice committed by the first party/bank. As such, second party is not entitled to any relief as prayed. Hence, the reference is required to be dismissed.

18. In support of his arguments, the learned counsel for first party has placed reliance on the following rulings :

- (1) Prakash Panduran Sawant Vs. Punjab and Sind Bank reported in 2007 LLR-1077 (Bombay High Court) wherein it is held that, "when the peons in a bank have been engaged on fixed term basis, their termination from services will not amount to retrenchment even if they have worked for more than 240 days in the last calendar year since such terminations are excluded by clause (bb) of the definition of retrenchment under Section 2(oo) of the Industrial Disputes Act".
- (2) Ganga Kisan Sahakari Chinni Mills Ltd. Vs. Jalvir Singh reported in 2007 LLR-1260 (Supreme Court) wherein it is held that, "burden of proof to have been worked for 240 days in the preceding 12 months of the termination lies upon the workman and not on employer."
- (3) G. M. Tanda Thermal Power Project Vs. Jai Prakash Srivastava reported in 2008 LLR-30 (Supreme Court) wherein it is held that, "merely that the workers engaged for some work that too by an officer but not by the Appointing Authority have worked for 240 days, that will not provide them job security that their services could not be terminated without retrenchment compensation and one month's notice pay."
- (4) Award on the Industrial Disputes between certain Banking Companies and Their workmen, which is popularly known as Shastry Award.
- (5) G. Madhav Rao and others Vs. State Bank of India, OJC No. 9039 of 1997 and others, decided by Hon. Orissa High Court, Cuttack on 18-9-1998 wherein the petitioners prayed for a direction to the State Bank of India and its functionaries to give them appointment in the post of Messengers. In those petitions, the validity of select list came to an end on 31-3-1997, which is just like Shastry Award in the present case, on which reliance is placed on behalf of second party/workman in this case. In the petitions, the Hon. High Court of Orissa, Cuttack held that petitioners are not entitled to get any relief and accordingly, those petitions are dismissed.

- (6) Decision of Their Lordships of Hon. Supreme Court in *G. Madhav Rao Vs. State Bank of India and others* wherein the above decision of Hon. Orissa High Court, Cuttack is challenged. It appears that the Hon. Supreme Court dismissed the said Special Leave Petitions on merits.
- (7) *Veer Kunwar Singh University Ad-hoc Teachers Association and others Vs. Bihar State University Service Commission* reported in 2007 (114) FLR-423 wherein it is held that, the appointment on the temporary basis without following the procedure provided under the Act shall not exceed a period of six months.
- (8) *Umakant Patnayak and others Vs. Management, Gaiety Cinema* reported in 2003 III CLR-674 in which it is held that, the Labour Court cannot travel beyond the reference made to it for adjudication.
- (9) *Secretary, State of Karnataka and others Vs. Umadevi and others* reported in 2006 II LLJ-722 (Supreme Court) wherein it is held that, any recruitment to State Service is to be governed by rules, constitutional and statutory. Similarly, casual/daily rated workers in Government and local bodies are not entitled to relief of absorption in regular service or parity of pay with regular employees. Further if and when sanctioned posts filled, said daily wagers were to be allowed to complete, waiving age restriction and giving weightage for their past work in department.

19. I have gone through the statement of claim filed by second party/workman, amendment sought in statement of claim, written statement as well as additional written statement filed on record by the first party/bank. I have also gone through the documents filed on record. I have also gone through oral evidence of second party/workman and his cross examination. I have also heard the arguments for both the parties. I have also gone through the rulings cited on behalf of first party/bank.

20. In the statement of claim, it is contended by second party that, he worked with first party/bank at Kalwan branch during the period from 1-7-1975 to 31-12-1976, 1-1-1977 to 31-12-1986, 1987 to 1996. By way of amendment, it is contended by second party that he worked with first party at Kalwan branch from 1-1-85 to 31-12-85, 1-1-86 to 31-12-86, 1-1-95 to 31-7-95, 1-1-96 to 31-12-96, 1-1-97 to 31-7-97. These facts go to show that second party/workman gave different dates of working with first party in the statement of claim and amendment.

21. It is to be noted here that in the schedule of reference, there is no date of termination of second party, stated by concerned authority. In the affidavit which the second party has filed in lieu of oral evidence, he has disclosed the date of termination of his services as 31-7-1997. Since the second party has submitted on oath that, first party terminated his services from 31-7-1997 it is required to be seen as to whether the second party has worked for 240 days in 12 months preceding to his termination on 31-7-1997.

22. It is to be noted that, the second party has clearly admitted in para 13 of his cross examination that, he has not filed the order dated 1-7-1975. He further admitted that he has not filed appointment order for the period from 1-1-1985 to 31-12-1985, 1-1-1986 to 31-12-1986. He further admitted that he also not filed appointment order for the period from 1-1-1995 to 31-7-1995 and 1-1-1996 to 31-12-1996, so also appointment order for the period from 1-1-1997 to 31-7-1997 on record of this case. He further admitted that he has only filed appointment order for the period from 1-1-1995 to 31-7-1995 which is marked as Ex. U-22. He has further admitted in para 16 of cross examination that he has not filed any document to show that he was employed with first party/bank from 1-1-1985 to December 1994. He has further admitted in para 21 of cross examination that, there is no proof to show that on 31-7-1997 he was employed with first party/bank. He has further admitted in para 28 of cross-examination that there is no documentary proof to show that the work which he was doing is still available with the first party/bank.

23. Taking into consideration the vital admissions given by the second party in his cross-examination, it cannot be said that second party/workman worked with first party/bank as alleged in the statement of claim. Further in the statement of claim and in amendment sought therein, the second party/workman has given different period of his working. Therefore, it is clear that there are contradictions in the period of working submitted by second party/workman.

24. As stated above, first party in Ref. IDA 26/1999 in the case of *Shri D. P. Maind* has filed copy of settlement dated 30-7-1996 at Ex. U-24. Along with said Ex. U-24, first party filed a chart showing the name of concerned workman and number of days he worked with the first party/bank. In that chart, name of second party/workman is at Sl. No. 31 and number of working days are shown against his name as 105.

25. Taking into consideration, statement of claim, amendment thereof, written statement of bank, documents filed on record by both parties, the oral evidence of second party/workman and more particularly the vital admissions given by second party in cross-examination, I hold that second party/workman has not proved that he worked with first party/bank as alleged.

26. In the light of ruling of Hon. Supreme Court in the case of Ganga Kisan Sahakari Chinni Mills reported in 2007 LLR-1260 (cited supra by first party), burden of proof to have worked for 240 days in the preceding 12 months of the termination of services lies upon the workman and not on the employer. Taking into consideration the pleadings, evidence and documents on record, I am of the view that the second party workman has not discharged said burden of proof to have worked for 240 days in the preceding 12 months of termination of services.

27. As observed above, second party/workman admitted that he has only filed appointment order for the period from 1-1-1995 to 31-7-1995 at Ex. U-22. The said order speaks appointment for the period from 1-1-1995 to 31-7-1995. I have already quoted vital admissions given by second party workman in his cross examination. The date of termination as stated by second party workman is 31-7-1997 as stated by him in affidavit.

28. There is no record to show that except for the period from 1-1-1995 to 31-7-1995 he worked with first party bank. Thus it becomes clear that the only period of working in respect of second party is from 1-1-1995 to 31-7-1995. Taking into consideration the vital admissions given by second party workman, it cannot be said that he worked for 240 days in 12 months preceding the date of termination.

29. Since the second party failed to prove that he worked for more than 240 days in 12 months preceding the date of termination, it was not at all necessary for the first party bank to comply with the provisions of section 25 F of Industrial Disputes Act, 1947 i.e. payment of notice pay and retrenchment compensation to second party. As such, there is no substance in the contentions or arguments advanced by learned counsel Smt. Karad appearing for workman that as no notice pay and retrenchment compensation is paid, termination of services of second party is illegal or unjustified. Moreover, nothing has been shown on behalf of second party as to how the termination of services is illegal or unjustified.

30. It is to be noted here that, the workman placed reliance on Shastri Award which is dated 30-7-1996 between the management of bank and federation of employees of bank. It is argued on behalf of second party that on the basis of said Award, the first party bank should have absorbed the second party in service. It is not in dispute that the said settlement was valid upto 31-3-1997.

31. In this regard, it is to be noted that, similarly situated many workmen filed petitions before the Hon. High Court of Orissa, Cuttack i.e. OJC No. 9037 of 1997 and others. The said petitions are dismissed by the Hon. High Court of Orissa, Cuttack on 18-9-1998 holding that petitioners therein are not entitled to any relief, and later on when the said order of Hon. High Court of Orissa was challenged before Their Lordships of Hon. Supreme Court

in Special Leave Petition (C) 3081/1999. Their Lordships of Supreme Court also dismissed the said special leave petition and thereby order passed by the Hon. High Court of Orissa, Cuttack is made absolute. Reliance is placed on behalf of first party bank on the said ruling of Hon. High Court, Orissa and Hon. Supreme Court.

32. Taking into consideration, the facts of the present case and decision of the Hon. High Court of Orissa, Cuttack on which reliance is placed on behalf of first party bank, later on which decision has been confirmed by Their Lordships of Hon. Supreme Court on which also reliance is placed by the first party bank, there is no substance in the contentions or arguments advanced on behalf of second party that on the basis of settlement dated 30-7-1996, bank should have absorbed second party in service.

33. In the light of vital admissions given by the workman during his cross examination and only appointment order filed on record which is for the period from 1-1-1995 to 31-7-1995 which is at Ex. U-22, I have no hesitation to hold that the appointment of second party workman was for specific period and after efflux of that period, the said appointment automatically came to an end and as such, it is not retrenchment as it is excluded from definition of retrenchment as given in Section 2(oo) of the Industrial Disputes Act, 1947.

34. Thus taking into consideration the statement of claim, written statement filed by first party, documents filed on record, evidence of second party, arguments advanced by both the counsels for parties, the rulings cited on behalf of bank, I hold that the workman has failed to prove that he worked with first party as alleged and that the termination of services of second party is neither illegal nor unjustified. Hence, I hold that the termination of services of second party workman is legal and justified. Hence, I answer issue No. 2 in negative and issue No. 3 in the affirmative.

35. As to issue No. 4 : I have held that the action of first party bank in terminating the services of second party workman is neither illegal nor unjustified. Hence, I have held that the said termination of second party is legal and justified. Since termination of second party is held legal and justified, second party workman is not entitled to any relief including reinstatement or back wages. Hence, I answer issue No. 4 in the negative.

36. In the light of above discussion, I proceed to pass following order :

ORDER

It is declared that the termination of services of second party is legal and justified. Hence, he is not entitled to any relief including reinstatement with continuity of service of back wages. Award be sent for publication to the Central Government.

Nashik,

A. S. GATTANI, Presiding Officer

Date : 22-2-2011

नई दिल्ली, 4 मई, 2011

AWARD
(22-2-2011)

का. आ. 1499.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नासिक के पंचाट (संदर्भ संख्या 4/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-2011 को प्राप्त हुआ था।

[सं. एल-12012/148/1998-आई आर(बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 4th May, 2011

S.O. 1499.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Nashik as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 29-4-2011.

[No. L-12012/148/1998-IR(B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI A. S. GATTANI, PRESIDING
OFFICER, LABOUR COURT, NASHIK**

Ref. (L.D.A.) No. 4/1999

BETWEEN

State Bank of India,
Region-V Pune.
East Street, Pune-411001
Maharashtra.
Through the Regional Manager.

..... First Party/Employer

AND

Shri Balkrishna Dhondiram Rane,
House No. 1961, Jadhav Wada,
Dingarali, Sambhaji Chowk,
Behind Ravindra Mandal School,
Nashik, Maharashtra. Second Party/
Workman

PRESENT:

Shri A. S. GATTANI, Judge.

APPEARANCES:

Shri C. A. Deolalkar, Advocate for First party/Employer

Smt. V. D. Karad, Advocate for Second party/Workman

It appears from the record that, the Government of India, through Ministry of Labour sent this reference to this Court under Section 10 of Industrial Disputes Act, 1947 for adjudication as to whether the action of the management of State Bank of India, Region Pune in terminating the services of Shri Balkrishna Dhondiram Rane is legal as in 1978 he had worked 107 days, 1991 : 233 days, 1992 : 215 days, 1994 : 130 days and in 1991 : 21 days justified? If not, to what relief the said workman is entitled to ?

2. After receipt of this reference, notices were issued to both parties. Thereafter second party/workman has filed statement of claim at Ex. U-2. It is contended by second party that he worked as messenger-cum-peon with first party Bank at Ozar, Tryambakeshwar, Pan-chavati, Sattpur branch in Nashik district from 1-2-1978 to 14-5-1978, 2-7-1991, 19-3-1991 to 24-8-1992, 13-12-1993 to 2-4-1994. Though he was given assurance that he will be made permanent, but he is not made permanent and his services were illegally terminated by first party bank. By amendment, it is contended that, he was working on permanent post, he worked for more than 240 days in 12 consecutive calendar months preceding date of termination. It is further contended that, more than 100 employees are working with the said Bank and hence Industrial Employment Standing Orders Act and model standing orders framed thereunder are applicable. The first party has not complied with provisions of 4 (D), (1) and (2) of model standing orders. It is further contended that second party is not paid retrenchment compensation and notice pay by first party at the time of termination of services and junior persons than the second party have been retained in service. Hence, it is violation of Section 25 F and G of Industrial Disputes Act, 1947. No seniority list is published as required under rule 81 of Industrial Disputes Act, 1947. Hence, the second party prayed for reinstatement with continuity of service and full back wages from the date of termination of services.

3. The first party resisted the claim of second party by filing written statement at Ex. C-5 contending that due to delay and laches, reference becomes infructuous and hence liable to be dismissed. It is contended that the second party never worked continuously for 240 days or more with the first party bank. As such it is not necessary to pay him notice pay or retrenchment compensation as provided in Section 25 F of Industrial Disputes Act. He was appointed for specific period as Messenger-cum-sweeper. There is Shastri Award which is settlement with State Bank of India Staff Federation by management. Last such settlement was entered into on 30-7-1996 to regularize the temporary workmen and that settlement was valid upto 31-3-1997 and then the said list of temporary employees is scrapped. In that list, second party was a wait list

candidate. Since he is not absorbed till 31-3-1997, he has lost his claim in that list. By additional written statement, it is contended that, the second party never worked for years together continuously. There is no unfair labour practice committed by the bank. It is contended that submissions about applicability of model standing orders are misguiding. It is also contended that there was no necessity to comply with the provisions of Section 25 F of the Industrial Disputes Act. It is contended that by the bank that termination of services of the bank does not amount to retrenchment. The bank also denied other submissions. There is no illegality committed by the bank. Hence, the bank prayed for dismissal of the reference with costs.

4. Following issues have been framed by my learned predecessor considering rival pleadings. I have recorded my findings followed by reasons :

| ISSUES | FINDINGS |
|---|--------------------|
| 1. Whether the first party bank proves that the Reference is not maintainable on account of the alleged delay ? | No |
| 2. Whether the concerned workman was employed as alleged ? | No |
| 3. Whether the termination of their services was legal and justified ? | Yes |
| 4. Whether the workman/second party is entitled to reinstatement with all Consequential benefits ? | No |
| 5. What award ? | As per final order |

REASONS

5. In support of his claim, the second party has filed his affidavit at Ex. U-18 stating relevant facts of the case. He is duly cross-examined on behalf of the first party. The first party Bank submitted that it does not want to examine any witness before this Court. The second party filed certificate of first party dated 28-11-1994 stating that the second party worked from 1-2-1978 to 30-4-1978 as sweeper and for 14 days in May 1978 as Watchman in Ozar branch, again from 7-2-1991 to 27-2-1991 in Tryambakeshwar Branch for 21 days, again from 19-3-1991 to 24-8-1992 in Panchavati Branch as part-time sweeper i.e., for 485 days. This is stated in certificate dated 24-12-1992. Again there is a certificate dated 28-9-1992 of Panchavati Branch stating that second party worked as temporary part-time sweeper from 19-3-1991 to 24-8-1992 for 507 days. There is a certificate of Satpur branch stating that the second party worked as temporary part-time sweeper from 13-12-1993 to 2-5-1994 for 125 days.

6. The Second party also filed an application calling for documents from the office of Assistant Labour Commissioner (Central) Pune i.e. demand notice,

justification statement, reply of bank before the said authority. Accordingly, notice was issued to the Assistant Labour Commissioner (Central) Pune and accordingly, the second party workman by hand filed the copy of written say of the bank which is filed before the said authority in dispute raised by the second party/workman. The first party filed copies of settlements dated 17-11-1987, 16-7-1988, 27-2-1988, 9-7-1991 and 30-7-1996 along with Ex. C-17 in Ref. IDA 1/1999 in the case of Shri R. B. Yeola.

7. First party also filed certain documents in Ref. IDA 26/1999 which is a case of this bank and Shri Maind, copy of settlement dated 30-7-1996 including the list of ex-temporary employees of bank showing their number of days worked with the bank. The said document is filed along with Ex. C-5 in that case and it is marked as Ex. U-24. I have heard arguments of Smt. Karad, the learned counsel appearing for second party/workman and Shri Deolalkar, learned counsel appearing for the first party. I have also gone through the statement of claim, written statement and documents filed by both the parties.

8. As to issue No. 1 : It is argued on behalf of second party that, the services of second party are terminated in 1994. Thereafter he made demand for reinstatement with continuity of service and back wages. The bank did not reinstate him, hence, he prayed that the demand be admitted into conciliation. The matter was before Assistant Commissioner of Labour (Central) Pune. Dispute was not settled and hence the Central Government referred the said dispute to this Court in the year 1999 and hence there is no delay in raising the dispute or referring the case for adjudication to this Court.

9. As against this it is argued on behalf of first party that, the reference deserves to be dismissed on the ground of delay and laches. It is further argued on behalf of the first party bank that after a lapse of many years from termination of services, present reference is sent to this Court for adjudication and as such, there is much delay, hence, reference deserves to be dismissed on the ground of delay itself. In support of said arguments, Shri Deolalkar placed reliance on the ruling of Hon. Madras High Court in the case of *Management of Coimbatore District Consumers Cooperative Wholesale Stores Limited Vs. Presiding Officer, Labour Court, Coimbatore and R. Jagannathan* reported in 2004 (2) LLN-1068 wherein it is held that, "it is not open to employees to raise dispute with glaring negligence and delay. Dispute raised is liable to be rejected on ground of delay alone".

10. In the case in hand, if schedule of reference is perused, there is no date of termination of services of the second party/workman. In the affidavit which the second party filed in lieu of oral evidence, it is stated by him that, he worked with the first party bank till 2-5-1994 and his services have been terminated by first party bank on 2-5-1994. Thus, it is clear that the date of termination in

this case is 2-5-1994. From the order of reference it is clear that though the said order is dated 7-1-1999 issued by Central Government of India, but it is clear that prior to that the case of the workman was pending before relevant authorities i.e. Assistant Labour Commissioner (Central), Pune and then Regional Labour Commissioner (Central), Mumbai for some time. In the case cited on behalf of bank i.e. Coimbatore District Consumers Co-operative Wholesale Stores Limited Vs. Presiding Officer, Labour Court, Coimbatore and R. Jagannathan reported in 2004 (2) LLN-1068 decided by Hon. Madras High Court, there was a delay of 10 years in raising the dispute. Therefore, it is held that there is glaring negligence on the part of the concerned workman in that case. In the case in hand, there is no such glaring negligence. Hence, said ruling of Hon. Madras High Court cannot be said to be applicable to the facts of the present case.

11. Thus, considering facts of this case, I hold that, first party bank has not proved that the reference is not maintainable on ground of delay and laches. I therefore hold that there is no substance in the said allegations of the first party that reference is not maintainable on the ground of delay and laches. Hence, I answer issue No. 1 in negative.

12. **As to issue Nos. 2 and 3 together :** It is argued on behalf of second party by Smt. Karad, the Learned Advocate appearing for second party that, the second party worked with the first party bank for more than 240 days as messenger. He stated the fact of his employment with first party bank on affidavit which is filed in lieu of oral evidence before this Court. The first party bank has not adduced oral evidence in this case. Though the second party has been duly cross-examined on behalf of bank, the said cross-exam. is of no help to the bank.

13. It is further argued that the work for which he was appointed by the bank is of permanent nature. Hence, first party bank should have made him permanent in service, but instead of making him permanent in service, he is illegally terminated. While terminating the services of second party, no opportunity of being heard is given to him. The provisions of retrenchment i.e. section 25 F of Industrial Disputes Act, 1947 have not been followed by the first party as second party is not paid any notice pay or retrenchment compensation at the time of termination.

14. The Id. counsel Smt. Karad appearing for workman/second party further argued that, while terminating the services of second party, junior persons have been retained and as such, it is breach of the principle of last come first go. The seniority list of employees of first party bank is also not published as required under rule 81 of the I.D. Bombay Rules. Permission of Government is also not obtained prior to terminating services of second party. It is further argued that though it was binding on the bank to maintain a seniority list of temporary employees

as per provisions of the model standing orders, it is maintained and as such, second party workman is being deprived of his rights and hence, the first party also committed the breach of the provisions of Model Standing Orders. Smt. Karad Advocate for second party further argued that termination of services of second party is by way of unfair labour practice. It is further argued that, as per Shastri Award, first party bank should have absorbed second party in permanent service, but that is also not done by the bank.

15. It is further argued that though the work was of permanent nature, second party was intentionally issued orders from time to time, so as to deprive him from getting benefits of permanent employment. It is further argued that before the Assistant Commissioner of Labour (Central) Pune, first party bank has wrongly shown working days of second party because in that chart less working days of second party have been shown with mala fide intention.

16. It is further argued that no provision of law is followed before terminating the services of second party. The termination of services is illegal and unjustified. Hence, the said termination cannot be termed as legal proper or justified. Thus, act of terminating the services of second party is required to be set aside and therefore, he is entitled to reinstatement with continuity of service and full back wages from the date of termination along with other consequential benefits.

17. As against this, it is argued on behalf of first party that, second party workman was appointed for a limited period by first party bank. After the efflux of time, services of second party automatically stood terminated. Hence, the termination of services of second party is covered by Section 2(oo)(bb) of the Industrial Disputes act and as such, it is not retrenchment within the meaning of law. Hence, the provisions of retrenchment are not applicable in the facts of the present case. As such, it was not at all necessary to pay notice pay or retrenchment compensation to the second party/workman while terminating services.

18. It is further argued on behalf of first party that, the second party has also not worked for 240 days in 12 months preceding the date of termination. It is further argued that copy of settlement dated 30-7-96 is filed in Ref. IDA 26/1999 in the case of Shri D. P. Manid at Ex. U-24 and along with that document, one annexure is filed showing the number of working days of concerned workmen with first party bank from which it is clear that he has not worked for 240 days with the first party bank.

19. It is further argued that appointment of second party was not made on regular post. It was illegal appointment and as it is back door entry. It is further argued that, burden of proof to show that the concerned workman worked for more than 240 days with employer in 12 months preceding the date of termination of service, lies on the

concerned workman. In the present case, the said burden is not discharged by the second party workman. It is further argued on behalf of the first party that, when person is appointed for temporary period and that too fixed period, after efflux of time of such appointment, that appointment automatically stands terminated, hence, it is not retrenchment but that case is governed by provisions of section 2 (oo)(bb) of Industrial Disputes Act, 1947. In such case, the provisions of Section 25 F of I.D. Act will not be made applicable. It is further argued that as appointment of second party was for certain period and that too for certain exigency, it is not proper appointment. Hence, he is not entitled to any benefits such as permanency etc.

20. It is further argued that, this Court cannot travel beyond the scope of reference which is sent for adjudication to this Court by the appropriate Government. It is further argued that there is no illegality or unfair labour practice committed by the first party bank. As such, second party is not entitled to any relief as prayed. Hence, the reference is required to be dismissed.

21. In support of his arguments, the learned counsel for first party has placed reliance on the following rulings :

- (1) Prakash Panduran Sawant Vs. Punjab and Sind Bank reported in 2007 LLR-1077 (Bombay High Court) wherein it is held that, "when the peons in a bank have been engaged on fixed term basis, their termination from services will not amount to retrenchment even if they have worked for more than 240 days in the last calendar year since such terminations are excluded by clause (bb) of the definition of retrenchment under Section 2(oo) of the Industrial Disputers Act".
- (2) Ganga Kisan Sahakari Chinni Mills Ltd. Vs. Jalvir Singh reported in 2007 LLR-1260 (Supreme Court) wherein it is held that, "burden of proof to have been worked for 240 days in the preceding 12 months of the termination lies upon the workman and not on employer".
- (3) G. M. Tanda Thermal Power Project Vs. Jai Prakash Srivastava reported in 2008 LLR-30 (Supreme Court) wherein it is held that, "merely that the workers engaged for some work that too by an officer but not by the Appointing Authority have worked for 240 days, that will not provide them job security that their services could not be terminated without retrenchment compensation and one month's notice pay".
- (4) Award on the Industrial Disputes between certain Banking Companies and Their

workmen, which is popularly known as Shastry Award.

- (5) G. Madhav Rao and Others Vs. State Bank of India, OJC No. 9039 of 1997 and Others, decided by Hon. Orissa High Court, Cuttack on 18-9-1998 wherein the petitioners prayed for a direction to the State Bank of India and its functionaries to give them appointment in the post of Messengers. In those petitioners, the validity of select list came to an end on 31-3-1997, which is just like Shastry Award in the present case, on which reliance is placed on behalf of second party/workman in this case. In the petitioners, the Hon. High Court of Orissa, Cuttack held that petitioners are not entitled to get any relief and accordingly those petitions are dismissed.
- (6) Decision of Their Lordships of Hon. Supreme Court in G. Madhav Rao Vs. State Bank of India and Others wherein the above decision of Hon. Orissa High Court, Cuttack is challenged. It appears that the Hon. Supreme Court dismissed the said Special Leave Petitioners on merits.
- (7) Veer Kunwar Singh University Ad-hoc Teachers Association and Others Vs. Bihar State University Service Commission reported in 2007 (114) FLR-423 wherein it is held that, the appointment on the temporary basis without following the procedure provided under the Act shall not exceed a period of six months.
- (8) Umakant Patnayak and others Vs. Management, Gaiety Cinema reported in 2003 III CLR-674 in which it is held that, the Labour Court cannot travel beyond the reference made to it for adjudication.
- (9) Secretary, State of Karnataka and Others Vs. Umadevi and Others reported in 2006 II L.J.-722 (Supreme Court) wherein it is held that, any recruitment to State Service is to be governed by rules, constitutional and statutory. Similarly, casual/daily rated workers in Government and local bodies are not entitled to relief of absorption in regular service or parity of pay with regular employees. Further if and when sanctioned posts filled, said daily wagers were to be allowed to complete, waiving age restriction and giving weightage for their past work in department.

22. I have gone through the statement of claim filed by second party/workman, amendment sought in statement of claim, written statement as well as additional written

statement filed on record by the first party bank. I have also gone through the documents filed on record. I have also gone through oral evidence of second party/workman and his cross examination. I have also heard the arguments for both the parties. I have also gone through the rulings cited on behalf of first party/bank.

23. In the statement of claim, it is contended by second party that, he worked with first party bank at Ozar, Tryambakeshwar, Panchavati, Sattpur branch in Nashik district from 1-2-1978 to 14-5-1978, 2-7-1991, 19-3-1991 to 24-8-1992, 13-12-1993 to 2-4-1994. By way of amendment, it is contended by second party that he worked with first party at Ozar, Tryambakeshwar, Panchavati & Satpur branch from 1-2-1978 to 14-5-1978, 2-7-91 to 27-2-91, 19-3-91 to 24-8-92 and from 13-12-1993 to 2-4-1994. These facts go to show that second party/workman gave different dates of working with first party in the statement of claim and amendment.

24. It is to be noted here that in the schedule of reference, there is no date of termination of second party stated by concerned authority. In the affidavit which the second party has filed in lieu of oral evidence, he has disclosed the date of termination of his services as 2-5-1994. Since the second party has submitted on oath that, first party terminated his services from 2-5-1994, it is required to be seen as to whether the second party has worked for 240 days in 12 months preceding to his termination on 2-5-1994.

25. It is to be noted that, the second party has clearly admitted in para 13 of his cross examination that, he has not filed the order of appointment for the period from 1-2-78 to 2-4-1994. Taking into consideration the vital admissions given by the second party in his cross examination, it cannot be said that second party workman worked with first party bank as alleged in the statement of claim. Further in the statement of claim and in amendment sought therein, the second party workman has given different period of his working. Therefore, it is clear that there are contradictions in the period of working submitted by second party workman.

26. As stated above, first party in Ref. IDA 26/1999 in the case of Shri D. P. Maind has filed copy of settlement dated 30-7-1996 at Ex. U-24. Along with said Ex. U-24, first party filed a chart showing the name of concerned workman and number of days he worked with the first party bank. In that chart, name of second party workman is at Sr. No. 29 and number of working days are shown against his name as 117.

27. Taking into consideration, statement of claim, amendment thereof, written statement of bank, documents filed on record by both parties, the oral evidence of second party workman and more particularly the vital admissions

given by second party in cross examination, I hold that second party workman has not proved that he worked with first party bank as alleged.

28. In the light of ruling of Hon. Supreme Court in the case of Ganga Kisan Sahakari Chinni Mills reported in 2007 LLR-1260 (cited supra by first party), burden of proof to have worked for 240 days in the preceding 12 months of the termination of services lies upon the workman and not on the employer. Taking into consideration the pleadings, evidence and documents on record, I am of the view that the second party workman has not discharged said burden of proof to have worked for 240 days in the preceding 12 months of termination of services.

29. As observed above, second party/workman filed appointment order for the period from 1-2-1978 to 30-4-78 i.e. 3 months and 14 days in May 1978 in Ozar branch of first party. Again he filed appointment letter for the period 7-2-91 to 27-2-91. Again he filed certificate dated 24-12-1992 stating that he worked for 485 days in Panchavati branch as part time sweeper from 19-3-1991 to 24-8-1992. Again there is a certificate dated 28-9-1992 from the said branch that the second party worked for 507 days from 19-3-1991 to 24-8-92 as part time sweeper. There is also a certificate issued by Satpur branch dated 17-5-1994 stating that workman/second party worked for 125 days during the period from 13-12-1993 to 2-5-1994 as part time sweeper in that branch. I have already quoted vital admissions given by second party workman in his cross examination. The date of termination as stated by second party workman is 2-5-1994 as stated by him in affidavit.

30. Thus, it becomes clear that the only period of working in respect of second party is from 1-2-1978 to 30-4-1978 i.e. 3 months and 14 days in May 1978 in Ozar branch, from 7-2-91 to 27-2-91 with Tryambakeshwar branch, for 485 days in Panchavati branch as part time sweeper from 19-3-1991 to 24-8-1992. Again there is a certificate dated 28-9-1992 from the said branch that the second party worked for 507 days from 19-3-1991 to 24-8-92 as part time sweeper. It is also clear that he worked in Satpur branch for 125 days during the period from 13-12-1993 to 2-5-1994. In the light of said record & taking into consideration the vital admissions given by second party workman, it cannot be said that he worked for 240 days in 12 months preceding the date of termination.

31. Since the second party failed to prove that he worked for more than 240 days in 12 months preceding the date of termination, it was not at all necessary for the first party bank to comply with the provisions of second 25 F of Industrial Disputes Act, 1947 i.e. payment of notice pay and retrenchment compensation to second party.

32. As such, there is no substance in the contentions or arguments advanced by learned counsel Smt. Karad

appearing for workman that as no notice pay and retrenchment compensation is paid, termination of services of second party is illegal or unjustified. Moreover, nothing has been shown on behalf of second party as to how the termination of services is illegal or unjustified.

33. It is to be noted here that, the workman placed reliance on Shastri Award which is dated 30-7-1996 between the management of bank and federation of employees of bank. It is argued on behalf of second party that on the basis of said Award, the first party/bank should have absorbed the second party in service. It is not in dispute that the said settlement was valid upto 31-3-1997. In this regard, it is to be noted that, similarly situated many workmen filed petitions before the Hon. High Court of Orissa, Cuttack i.e. OJC No. 9037 of 1997 and others.

34. It is to be noted that the said petitions are dismissed by the Hon. High Court of Orissa, Cuttack on 18-9-1998 holding that petitioners therein are not entitled to any relief, and later on when the said order of Hon. High Court of Orissa was challenged before their Lordships of Hon. Supreme Court in Special Leave Petition (C) 3081/1999, Their Lordships of Supreme Court also dismissed the said special leave petition and thereby order passed by the Hon. High Court of Orissa, Cuttack is made absolute. Reliance is placed on behalf of the first party/bank on the said ruling of Hon. High Court, Orissa and Hon. Supreme Court.

35. Taking into consideration, the facts of the present case and decision of the Hon. High Court of Orissa, Cuttack on which reliance is placed on behalf of first party/bank, later on which decision has been confirmed by Their Lordships of Hon. Supreme Court on which also reliance is placed by the first party bank, there is no substance in the contentions or arguments advanced on behalf of second party that on the basis of settlement dated 30-7-1996, bank should have absorbed second party in service.

36. In the light of vital admissions given by the workman during his cross-examination and the certificates of working days filed on record by the second party, I have no hesitation to hold that the appointment of second party/workman was for specific period and after efflux of that period, the said appointment automatically came to an end and as such, it is not retrenchment as it is excluded from definition of retrenchment as given in section 2(oo) of the Industrial Disputes Act, 1947.

37. Thus taking into consideration the statement of claim, written statement filed by first party, documents filed on record, evidence of second party, arguments advanced by both the counsels for parties, the rulings cited on behalf of bank, I hold that the workman has failed to prove that he worked with first party as alleged and that

the termination of services of second party is neither illegal nor unjustified. Hence, I hold that the termination of services of second party/workman is legal and justified. Hence, I answer issue No. 2 in negative and issue No. 3 in the affirmative.

38. As to issue No. 4 : I have held that the action of first party/bank in terminating the services of second party/workman is neither illegal nor unjustified. Hence, I have held that the said termination of second party is legal and justified. Since termination of second party is held legal and justified, second party/workman is not entitled to any relief including reinstatement or back wages. Hence, I answer issue No. 4 in the negative.

39. In the light of above discussion, I proceed to pass following order :

ORDER

It is declared that second party workman is not entitled to any relief including reinstatement with continuity of service of back wages as the said termination of his services is legal and justified. Award be sent for publication to the Central Government.

Nashik,
Date : 22-2-2011

A. S. GATTANI, Presiding Officer

नई दिल्ली, 4 मई, 2011

का. आ. 1500.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.ई.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 39/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-2011 को प्राप्त हुआ था।

[सं. एल-14012/16/2006-आई आर(डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 4th May, 2011

S.O. 1500.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 39/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of MES and their workman, which was received by the Central Government on 4-5-2011.

[No. L-14012/16/2006-IR(DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 39/2006

Shri Hardev Singh son of Billu Singh,
C/o Shri Dinesh Kumar and
Chaman Lal, Authorised
Representative of the workman,
House No. 431, Sector 15A,
Chandigarh

... Applicant

Versus

The Garrison Engineer (Utility),
Bhatinda Military Station,
Bhatinda Cantt.,
Bhatinda

... Respondent

APPEARANCES:

For the workman : None

For the management : Shri Indel Prashad, G.E.
Utility, Bhatinda

AWARD

Passed on 15-4-2011, Camp Ferozepur

Central Govt. vide notification No. L-14012/16/2006-IR(DU) dated 16th of June, 2006 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of MES Bhatinda in terminating the services of Shri Hardev Singh son of Billu Singh, Ex-Operation & Maintenance of A.C. Plants. Store/Godown, EMF Workshop, Core headquarters w.e.f. 18-12-04 is just and legal? If not, to what relief the workman is entitled to ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence from the last many hearings. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already five years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh :

G.K. SHARMA, Presiding Officer

15-4-2011